



Agenda
Operational Steering Committee
March 6, 2024
8:00 am: Open Session
Marin County Office of Education
1111 Las Gallinas Ave, San Rafael, CA 94903

1.0 Call Public Session to Order

Becky Rosales, Chair, Superintendent, Miller Creek School District

Operational Steering Committee:

Area 1: Brett Geithman, Superintendent, Larkspur-Corte Madera School District

Area 1 includes Tamalpais UHSD, Larkspur - Corte Madera SD, Ross SD

Area 2: Marci Trahan, Superintendent, Ross Valley School District

Area 2 includes Shoreline USD, Lagunitas SD, Ross Valley SD, Nicasio SD

Area 3: Raquel Rose, Superintendent, Kentfield School District

Area 3 includes Mill Valley SD, Sausalito Marin City SD, Kentfield SD, Reed SD, Bolinas-Stinson SD

Area 4: Becky Rosales, Superintendent, Miller Creek Elementary School

Area 4 includes Miller Creek SD, San Rafael Elementary SD, San Rafael High SD

Area 5: Tracy Smith, Superintendent, Novato Unified School District

Area 5 is the Novato Unified School District

Area 6: John Carroll, Superintendent, Marin County Office of Education

Area 6 includes the Marin County Office of Education, Laguna Joint SD

Marin County SELPA Staff:

Rebecca Minnich, SELPA Director

Christine Shields, Assistant Program Manager

2.0 Establishment of Quorum

3.0 Consent Agenda

(Members may remove items from the Consent Agenda)

3.1 Approval of Minutes from February 7, 2024 OSC Meeting

3.2 Approval of Agenda for March 6, 2024 OSC Meeting

4.0 Public Comment

Government Code § 54954.3 provides that the public will have an opportunity to address the board on any item described on a regular or special meeting agenda either before or during the consideration of the item. Per MCOE Board Policy 8566, each person shall

limit comments to five (5) minutes.

5.0 Action Items

5.1 2023 – 2024 Extended School Year (ESY) Reimbursement Set Aside Approval

The SELPA's member LEAs requesting reimbursement for the 2023 – 2024 Extended School Year (ESY) operational costs from the SELPA's ESY Reimbursement Set-Aside will be presented for approval.

5.2 2024 – 2025 Marin County SELPA Master Committee Meeting Calendar

The 2024 – 2025 Marin County SELPA Master Committee Meeting Calendar will be presented for review and adoption.

6.0 Discussion Items

6.1 Marin County Office of Education (MCOE) Regionalized Special Education Programs: Current Staffing and Operational Structure

Information will be presented regarding current staffing and operational structure of MCOE special education programs.

6.2 Marin County SELPA Local Plan: First Reading

The first reading of the Marin County SELPA Local Plan Sections A and B will be presented for review and discussion.

7.0 Information Items

7.1 Marin County SELPA Workgroup Progress Update

Information will be shared regarding the work of the SELPA Workgroup – Supporting Inclusive Preschool Programs.

7.2 Marin County SELPA Special Education Advisory Committee Report

Information will be presented regarding the work of Marin County SELPA's Special Education Advisory Committee.

8.0 SELPA Director's Report

Information, communication, and reports will be presented by the SELPA Director.

9.0 Board Member Comments

Each member of the Governing Board/Operational Steering Committee may report about various matters related to the SELPA. There will be no Board discussion except to ask questions and refer matters to staff, and no action shall be taken unless listed on a subsequent agenda.

10.0 Future Planning

Next Meeting Date: April 3, 2024 at 8:00 AM at the Marin County Office of Education, Board Room.

11.0 Adjournment

The Marin County SELPA is committed to making its Board meetings accessible to all persons. By request alternative agenda document formats are available to individuals with special needs. To arrange an alternative agenda document format or to arrange aid or services to modify or accommodate an individual with special needs to permit participation in a public meeting please contact the Marin County SELPA office via phone at (415) 499-5875 or submit electronic mail to jdemitro@marinschools.org.

Annotation – Agenda Items 3.1 & 3.2
Operational Steering Committee
March 6, 2024

Agenda Item

- 3.1 Approval of Minutes from February 7, 2024 OSC Meeting
- 3.2 Approval of Agenda for March 6, 2024 OSC Meeting

Item Taken

Action

Summary of Key Issues

The minutes of the February 7, 2024 OSC meeting and the agenda for the March 6, 2024 OSC meeting are presented for adoption.

Summary of Previous OSC Action

None

Recommendation

The SELPA Director recommends that the Operational Steering Committee approve the Consent Agenda as presented.

Attachments to this Agenda Item

Attachment 1: Minutes, Operational Steering Committee Meeting, February 7, 2024



Operational Steering Committee
February 7, 2024
8:00 am: Open Session
Marin County Office of Education
1111 Las Gallinas Ave, San Rafael, CA 94903
MINUTES

1.0 Call Public Session to Order

John Carroll, Superintendent, Marin County Office of Education

John Carroll called the meeting to order at 8:04 am.

Operational Steering Committee:

Area 1: Brett Geithman, Superintendent, Larkspur-Corte Madera School District

Area 1 includes Tamalpais UHSD, Larkspur - Corte Madera SD, Ross SD

Area 2: Marci Trahan, Superintendent, Ross Valley School District

Area 2 includes Shoreline USD, Lagunitas SD, Ross Valley SD, Nicasio SD

Area 3: Raquel Rose, Superintendent, Kentfield School District

Area 3 includes Mill Valley SD, Sausalito Marin City SD, Kentfield SD, Reed SD, Bolinas-Stinson SD

Area 4: Becky Rosales, Superintendent, Miller Creek Elementary School

Area 4 includes Miller Creek SD, San Rafael Elementary SD, San Rafael High SD

Area 5: Tracy Smith, Superintendent, Novato Unified School District

Area 5 is the Novato Unified School District

Area 6: John Carroll, Superintendent, Marin County Office of Education

Area 6 includes the Marin County Office of Education, Laguna Joint SD

Marin County SELPA Staff:

Rebecca Minnich, SELPA Director

Christine Shields, Assistant Program Manager

The following committee members were in attendance: John Carroll, Raquel Rose, David Rice, Tracy Smith, and Marci Trahan.

2.0 Establishment of Quorum

A quorum was established with (5) five members of the Operational Steering Committee.

3.0 Consent Agenda

(Members may remove items from the Consent Agenda)

- 3.1 Approval of Minutes from December 6, 2023 OSC Meeting
- 3.2 Approval of Agenda for February 7, 2024 OSC Meeting

The Consent Agenda was approved as presented.

Motion: Marci Trahan Second: Raquel Rose Carried: Unanimous

4.0 Public Comment

Government Code § 54954.3 provides that the public will have an opportunity to address the board on any item described on a regular or special meeting agenda either before or during the consideration of the item. Per MCOE Board Policy 8566, each person shall limit comments to five (5) minutes.

There was no public comment.

5.0 Action Items

5.1 2023 – 2024 SELPA Master Committee Meeting Calendar

The updated 2023 – 2024 Marin County SELPA Master Committee Meeting Calendar will be presented for review and adoption.

The updated 2023 – 2024 Marin County SELPA Master Committee Meeting Calendar was adopted as presented.

Motion: Marci Trahan Second: David Rice Carried: Unanimous

5.2 2023 - 2024 Special Olympics Unified Sports Coaching Stipend Proposal

The establishment of stipends for coaches participating in the Special Olympics Unified Sports program will be presented for approval.

The SELPA Director provided information related to Special Olympics Unified Sports and presented the 2023 – 2024 Special Olympics Unified Sports Coaching Stipend Proposal for approval. The SELPA Director shared that professional development funds will be utilized for the coaching stipends. The Special Olympics Unified Sports Coaching Stipend Proposal was adopted as presented.

Motion: Marci Trahan Second: John Carroll Carried: Unanimous

6.0 Discussion Items

6.1 Marin County SELPA Ad Hoc Committee Progress Update

Information will be shared regarding the work of the current SELPA Ad Hoc Committees.

The SELPA Director shared information regarding the work of the current SELPA Ad Hoc Committee. The Ad Hoc Committee objectives, meeting timeline, and activities were shared by the SELPA Director.

7.0 Information Items

7.1 Marin County SELPA Special Education Advisory Committee

Information will be presented regarding the work of Marin County SELPA's Special Education Advisory Committee.

The SELPA Director presented information regarding the work of Marin County SELPA's Special Education Advisory Committee (SEAC). At the January SEAC meeting, the Committee completed its first review of the 2024 – 2025 Local Plan and engaged in planning the Child and Family Resource Fair that will be held on Saturday, March 23, 2024, at the Marin County Office of Education from 12:30 pm – 3:30 pm.

8.0 SELPA Director's Report

Information, communication, and reports will be presented by the SELPA Director.

The SELPA Director provided information regarding the following:

- *On December 11, 2023, the Marin County SELPA and Marin County Office of Education held an informational meeting for District Business Officials and Maintenance and Operations Directors regarding Inclusive Playgrounds. The SELPA provided the meeting materials to the Advisory Steering Committee.*
- *On December 15, 2023, the Marin County SELPA held its annual meeting with private schools to discuss parentally placed students with disabilities in the private school setting. After the meeting, the Archdiocese requested additional information from the SELPA regarding how children who are parentally placed in a private school and in need of special education and related services are identified, located and evaluated, the procedures for member LEAs to serve parentally placed students with disabilities in private schools within Marin County, and the proportionate share expenditure requirements within the Marin County SELPA. The requested information was provided in a timely manner.*
- *The SELPA was contacted by the Alameda County Office of Education regarding the current governance structure of the Marin County SELPA. The SELPA Director provided information regarding the Marin County SELPA governance structure and Local Plan.*
- *All the SELPA member LEAs met the CALPADS Fall 1 Certification deadline.*
- *The California Department of Education will continue with IEP Implementation Monitoring this school year. The SELPA recommends local educational agencies continue to use the monitoring systems recommended in the prior year to support reporting requirements for this school year.*

9.0 Board Member Comments

Each member of the Governing Board/Operational Steering Committee may report about various matters related to the SELPA. There will be no Board discussion except to ask questions and refer matters to staff, and no action shall be taken unless listed on a

subsequent agenda.

Tracy Smith, Superintendent of Novato Unified School District provided an update to the Committee regarding the district's intent for a program transfer in the 2025 – 2026 school year. The Superintendent shared that the Novato Unified School does not have any immediate plans related to the anticipated program transfer.

10.0 Future Planning

Next Meeting Date: March 6, 2024 at 8:00 a.m. at the Marin County Office of Education, Board Room.

Raquel Rose, Superintendent of Kentfield School District, requested a discussion regarding the continuum of special education programs operated by the Marin County Office of Education. The Superintendent requested information regarding the operational structure and current staffing, including intensive individual services, of MCOE programs.

Tracy Smith, Superintendent of Novato Unified, requested the same information.

11.0 Adjournment

The meeting adjourned at 8:34 am.

Motion: Tracy Smith

Second: John Carroll

Carried: Unanimous

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Annotation – Agenda Item 5.1
Operational Steering Committee
March 6, 2024

Agenda Item

5.1 2023 – 2024 Extended School Year (ESY) Reimbursement Set-Aside Approval

Item Type

Action

Summary of Key Issues

None

Summary of Previous OSC Action

The Operational Steering Committee approves the Extended School Year Reimbursement Set-Aside in March of each school year.

Recommendation

The SELPA Director recommends that the Operational Steering Committee approve the 2023 – 2024 Extended School Year Reimbursement Set-Aside.

Attachments to this Agenda Item

Attachment: 2023 – 2024 Marin County SELPA Extended School Year Reimbursement Requests

SELPA's Member LEAs Requesting 2023 - 2024 Extended School Year Reimbursement (ESY)¹

LEA	2023 - 2024 ESY Classroom(s)
Kentfield	1
Larkspur Corte Madera	1
MCOE	5
Mill Valley	3
Miller Creek	3
Novato Unified	7
Reed Union	1
Ross Valley	3
Sausalito Marin City	1
San Rafael Elementary	4
San Rafael High School	1
Shoreline	2
Tamalpais Union High	3
Total	35²

¹ The OSC established a non-severe pool based upon revenues received for 1997 Non-Severe extended school year services plus the statutory COLA. The pool is apportioned among all approved non-severe extended school year operators based upon attendance on the last day of the second week of their extended year programs. On April 23, 2004 the OSC approved a revision to compensate all non-severe SDCs at the same rate of \$8,225.23.

² Total anticipated ESY reimbursement for non-severe ESY classrooms equals \$287,883.05.

Annotation – Agenda Item 5.2
Operational Steering Committee
March 6, 2024

Agenda Item

5.2 2024 – 2025 Marin County SELPA Master Committee Meeting Calendar

Item Type

Action

Summary of Key Issues

None

Summary of Previous OSC Action

The Marin County SELPA Master Committee Meeting Calendar is adopted on an annual basis.

Recommendation

The SELPA Director recommends adopting the 2024 – 2025 Marin County SELPA Committee Meeting Calendar as presented.

Attachments to this Agenda Item

Attachment: Draft 2024 – 2025 Marin County SELPA Master Committee Meeting Calendar



**MASTER COMMITTEE MEETING CALENDAR
2024 - 2025
DRAFT**

Operational Steering Committee (8:00 am)

July 2024 <i>Dark</i>	August 2024 <i>Dark</i>	September 4, 2024 MCOE	October 2, 2024 MCOE	November 6, 2024 MCOE	December 4, 2024 MCOE
January 8, 2025 MCOE	February 5, 2025 MCOE	March 5, 2025 MCOE	April 2, 2025 MCOE	May 28, 2025 MCOE	June 11, 2025 MCOE

Advisory Steering Committee (9:00 am)

July 2024 <i>Dark</i>	August 7, 2024 MCOE	September 11, 2024 Virtual	October 16, 2024 Virtual	November 13, 2024 Virtual	December 11, 2024 MCOE
January 15, 2025 Virtual	February 12, 2025 Virtual	March 12, 2025 MCOE	April 23, 2025 Virtual	May 14, 2025 Virtual	June 4, 2025 MCOE

Business Advisory Committee (11:00 am)

July 2024 <i>Dark</i>	August 2024 <i>Dark</i>	September 2024 <i>Dark</i>	October 16, 2024 Joint Meeting with ASC at 11:00 am	1 st Interim November 13, 2024 Joint Meeting with ASC at 11:00 am	December 2024 <i>Dark</i>
January 2025 <i>Dark</i>	2 nd Interim February 12, 2025 Joint Meeting with ASC at 11:00 am	Preliminary Budget March 19, 2025	April 16, 2025	May 14, 2025 Joint Meeting with ASC at 11:00 am	June 4, 2025 Joint Meeting with ASC at 11:00 am

Special Education Advisory Committee (9:30 am – 11:00 am)

July 2024 <i>Dark</i>	August 28, 2024 MCOE	September 2024 <i>Dark</i>	October 2024 <i>Dark</i>	November 20, 2024 MCOE	December 2024 <i>Dark</i>
January 2025 <i>Dark</i>	February 26, 2025 MCOE	March 2025 <i>Dark</i>	April 2025 <i>Dark</i>	May 7, 2025 MCOE	June 2025 <i>Dark</i>

Annotation – Agenda Item 6.1
Operational Steering Committee
March 6, 2024

Agenda Item

- 6.1 Marin County Office of Education (MCOE) Regionalized Special Education Programs: Current Staffing and Operational Structure

Item Type

Discussion

Summary of Key Issues

- (1) The MCOE was required to dissolve two (2) regionalized classrooms due to the resignation of a teacher and the lack of qualified instructional staff to become the teachers of the classes.
- (2) An analysis has been requested of the current staffing and operational structure of MCOE regionalized classrooms.

Summary of Previous OSC Action

The OSC approved the expansion of MCOE Regionalized Special Education Continuum by one (1) K-2 classroom at the May 24, 2023 OSC meeting.

Recommendation

None

Attachments to this Agenda Item

None

Annotation – Agenda Item 6.2
Operational Steering Committee
March 6, 2024

Agenda Item

6.2 Marin County SELPA Local Plan: First Reading

Item Type

Discussion

Summary of Key Issues

None

Summary of Previous OSC Action

None

Recommendation

None

Attachments to this Agenda Item

Attachment 1: Draft Marin County SELPA Local Plan Section A

Attachment 2: Draft Marin County SELPA Local Plan Section B

**Annotation – Agenda Item 7.1
Operational Steering Committee
March 6, 2024**

Agenda Item

7.1 Marin County SELPA Workgroup Progress Update

Item Type

Information

Summary of Key Issues

None

Summary of Previous OSC Action

None

Recommendation

None

Attachments to this Agenda Item

Attachment 1: Marin County SELPA Workgroup Progress Update

Marin County SELPA Workgroup Progress Update

Marin County SELPA Supporting Inclusive Preschool Practices (SIPP) Workgroup

Meeting Date	Activity	Outcomes
December 2023	<ul style="list-style-type: none"> Listened and learned about the implementation of an inclusive model for preschool programs from Jolie Critchfield, Director of Early Childhood Education, Marysville Joint Unified School District. Discussed implementation framework, strategies to address implementation barriers, and activities to support the development of more inclusive programs. 	<ul style="list-style-type: none"> Identified desired experiences for staff related to inclusive practices. Identified need for further data review.
January 2024	<ul style="list-style-type: none"> Discussed correlation of SIPP action plans and Compliance and Improvement Monitoring plans that address least restrictive environment. LEAs discussed their short and long-term outcomes for inclusive practices. Discussed available local and state resources to support inclusive practices for preschool age students. 	<ul style="list-style-type: none"> Identified desired experiences for students and families/community related to inclusive practices. Six LEAs scheduled a meeting with the SIPP Program Support Specialist to review drafted action plan.
February 2024	<ul style="list-style-type: none"> Six LEAs met with SIPP Program Support Specialist to discuss LEA vision of inclusion, and identify measurable and meaningful desired outcomes for staff, students, and families. Reviewed and discussed a draft vision statement of inclusion for the SIPP workgroup. LEAs added activities to their action plan that will support their short and long-term outcomes for inclusive practices. 	<ul style="list-style-type: none"> SIPP Program Support Specialist offered to meet with LEAs in March at their district/school sites to advance the development of action plans and activities for staff, students, and families/community related to inclusive practices. LEAs began to schedule site/district visits with SIPP Program Support Specialist.

Future SIPP Workgroup meetings are scheduled for the following dates: March 27, 2024; April 24, 2024; and May 29, 2024

Annotation – Agenda Item 7.2
Operational Steering Committee
March 6, 2024

Agenda Item

7.2 Marin County SELPA Special Education Advisory Committee Report

Item Type

Information

Summary of Key Issues

None

Summary of Previous OSC Action

None

Recommendation

None

Attachments to this Agenda Item

None

Special Education Local Plan Area (SELPA) Local Plan

SELPA

Fiscal Year

LOCAL PLAN
Section A: Contacts and Certifications
SPECIAL EDUCATION LOCAL PLAN AREA



California Department of Education

Special Education Division

Local Plan Annual Submission

Section A: Contacts and Certifications

SELPA

Fiscal Year

Contact Information and Certification Requirements

A1. Check the box or boxes that best represents the SELPA's Local Plan submission to the California Department of Education (CDE):

- NEW* SELPA (for proposed multiple Local Educational Agency (LEA) SELPA, or COE joined SELPA only)
- Local Plan Section B: Governance and Administration
- Local Plan Section B
 - Certifications 1, 3, 4 and 5 are required
 - Attachment I is required. Note: Additional attachments may be required if the amendment affects the services or funding associated with the Local Plan
- Local Plan Section D: Annual Budget Plan
- Select if this Local Plan Section D submission was revised after June 30th due date
- Local Plan Section D
 - Certifications 2, 3, 4 and 5 are required
 - Attachments I-V are required
 - If the submission is an amendment of special education revenues and/or expenditures previously reported to the CDE due to changes in services and programs provided by LEAs within the SELPA, then the SELPA must also submit an amendment for Local Plan Section E: Annual Service Plan, along with Attachment VI and VII.
- Local Plan Section E: Annual Service Plan
- Select if this Local Plan Section E submission was revised after June 30th due date
- Local Plan Section E
 - Certifications 2, 3, 4 and 5 are required
 - Attachments I and VI are required
 - If the submission is an amendment of programs and services previously reported to the CDE that affect the allocation of special education funds to LEAs within the SELPA, then the SELPA must also submit an amendment for Local Plan Section D: Annual Budget Plan, along with Attachments II-V and VII.
- Local Educational Agency Membership Changes

Section A: Contacts and Certifications

SELPA

Fiscal Year

A2. SELPA Identification

Enter the 4-digit SELPA code issued by the CDE. SELPA codes can be found on the CDE website located at <http://www.cde.ca.gov/sp/se/as/caselpas.asp>.

SELPA

A3. SELPA Administrator Contact Information

Enter address information for the SELPA. Include current SELPA administrator contact information. NOTE: SELPA administrator position changes do not require amendments to the Local Plan. However, in such cases the new SELPA administrator assumes the responsibility for the contents and implementation of the last approved Local Plan filed with the CDE.

SELPA Name	<input type="text" value="Marin County"/>		
Street Address	<input type="text" value="1111 Las Gallinas"/>	Zip Code	<input type="text" value="94903"/>
City	<input type="text" value="San Rafael"/>	County	<input type="text" value="CA"/>
Mailing Address	<input type="text" value="PO Box 4925"/>		
City	<input type="text" value="San Rafael"/>	Zip Code	<input type="text" value="94913"/>
Administrator First Name	<input type="text" value="Rebecca"/>	Administrator Last Name	<input type="text" value="Minnich"/>
Administrator Title	<input type="text" value="Marin County SELPA Director"/>		
Administrator's Email	<input type="text" value="rminnich@marinschools.org"/>		
Telephone	<input type="text" value="(415) 499-5875"/>	Extension	<input type="text"/>

A4. Administrative Entity (Responsible Local Agency or Person (as applicable) Contact Information

Enter information for the current administrative entity. This is the responsible local agency or, an administrative unit for a multiple LEA SELPA or COE joined SELPA; or an identified responsible person for a single LEA SELPA. In either case, the administrative entity identified is responsible for the implementation and/or fiscal administration of the Local Plan.

Administrative Entity Name	<input type="text" value="Marin County Office of Education"/>		
Street Address	<input type="text" value="1111 Las Gallinas"/>	Zip Code	<input type="text" value="94903"/>

Section A: Contacts and Certifications

SELPA Fiscal Year

City County
Contact First Name Last Name
Contact Title
Email
Telephone Extension

Special Education Local Plan Area Review Requirements

Community Advisory Committee

A5. Pursuant to California *Education Code (EC)* sections 56194(a) and (b); and 56205(a)(12)(E) and (b)(7), the SELPA must involve the Community Advisory Committee (CAC) at regular intervals during the development and review of each Local Plan section. The SELPA collaborated with the CAC throughout the development, amendment, and review of all Local Plan sections included with this submission?

Yes No N/A (Section D and/or Section E submissions)

A6. Pursuant to *EC* Section 56207(b)(7), the Local Plan section(s): Section B: Governance and Administration: Annual Service Plan must be provided to the CAC for final review 30 days prior to the plan being submitted the CDE.

The Local Plan was submitted to the CAC on:

N/A (Section D and/or Section E submissions)

County Office of Education

A7. Pursuant to *EC* sections 56140, 56195.1(c), and 56205, within 45 days, the COE, or COEs (as applicable) must approve or disapprove any proposed Local Plan, including any amendment submitted by a SELPA within the county or counties. Enter the COE or COEs responsible for, coordinating special education services within a county, reviewing, and approving the Local Plan.

Select the "Add COE" button to add additional COEs as needed. Users may select the "checkbox" next to the COE entry and the "Delete COE" to remove entries as necessary.

Section A: Contacts and Certifications

SELPA

Fiscal Year

COE responsible for approving the Local Plan

Local Plan section(s) was/were provided to the COE(s) listed for approval on

Add COE

Delete COE

Public Hearing Requirements

Local Plan Section D: Annual Budget Plan and Section E: Annual Service Plans

Public Hearing notices must be posted at each school site informing the public of the SELPA Public Hearing for the adoption of Local Plan Section D: Annual Budget Plan, and/or Local Plan Section E: Annual Service Plan at least 15 days before the hearing. Evidence of the posting should be maintained and made available to the CDE upon request.

A8. Local Plan Section D: Annual Budget Plan Public Hearing

Most Recent School Site Posting Date

SELPA Public Hearing Date

A9. Local Plan Section E: Annual Service Plan Public Hearing

Most Recent School Site Posting Date

SELPA Public Hearing Date

Submitting the Local Plan to the California Department of Education

STEP 1: Contacts and Certifications

Section A is required when submitting any and all Local Plan sections to the CDE for approval. Certifications and applicable attachments associated with the type of submission identified in item A1 above must be included with each submission.

STEP 2: SELPA Governance Structure

A10. For the purposes of special education, the governing board of a district/charter LEA must elect to participate in a SELPA. The SELPA's governance structure is defined by this election. The SELPA meets requirements and has elected the following governance structure for the Local Plan. Select one of the following three choices:

Section A: Contacts and Certifications

SELPA

Fiscal Year

- Single LEA SELPA: This selection includes only one district LEA (this selection does not include a COE); or
- Multiple LEA SELPA: This selection includes one district or charter LEA together with one or more additional district or charter LEA(s), or a combination thereof (this selection does not include a COE); or
- COE Joined SELPA: A district (or charter) LEA(s) joined with a COE(s) to form a SELPA (this selection includes one or more district or charter LEA(s) *AND* one or more COEs).
- Small and Sparse or Isolated: This selection must meet requirements for COE joined SELPAs as described above, and *EC* sections 56211 through 56212.

STEP 3: Prior Submissions

A11. Enter the fiscal year of the previously submitted Local Plan section:

Section B: Governance and Administration

Section D: Annual Budget Plan

Section E: Annual Service Plan

STEP 4: Local Plan Collaboration

A12. Many representatives of the community are involved in the development of all sections of a Local Plan. In this table, report the participation of key stakeholders required to participate in regular meetings by *EC* sections 56001(f) and 56192 including administrators, general education teachers, special education teachers, members of the CAC, parents selected by the CAC, or other persons concerned with individuals with exceptional needs. Include the agency, first and last name, the title of each participant who was involved in the collaboration in the development of the Local Plan sections, and the section worked on. Select the "Add" button to insert a new row and the "-" button to delete the corresponding row.

Add	Agency	First and Last Name	Title	Section
-	Kentfield School District	Raquel Rose	Administrator-Gen. Ed.	Multiple
-	San Rafael City Schools	Bob Marcucci	Administrator-Gen. Ed.	Multiple
-	Bolinas Stinson School District	Britton Walker	Teacher-Spec. Ed.	Multiple
-	Marin County Office of Education	Ashley DeGrano	Administrator-Spec. Ed.	Multiple

Section A: Contacts and Certifications

SELPA

Fiscal Year

Add	Agency	First and Last Name	Title	Section
<input type="checkbox"/>	Marin County Office of Education	Breean Brown	Administrator-Gen. Ed.	Multiple
<input type="checkbox"/>	SELPA	April Port	Administrator-Spec. Ed.	Multiple
<input type="checkbox"/>	SEAC	Birgit Switenki	CAC	Multiple
<input type="checkbox"/>	SELPA	Rebecca Minnich	Administrator-Spec. Ed.	All

STEP 5: Certifications

A13. Select the check box below to indicate which of the five certifications are being submitted. Include the total number of each type of certification being submitted.

- Certification 1: SELPA Local Plan Section B: Governance and Administration
- Certification 2: SELPA Local Plan Section D: Annual Budget Plan and Section E: Annual Service Plan
- Certification 3: COE (Required for all SELPA Local Plan Sections B, D, and E)
Number Submitted
- Certification 4: CAC (Required for all SELPA Local Plan Sections B)
- Certification 5: LEA (Required for all SELPA Local Plan Sections B, D, and E)
Number Submitted

STEP 6: Electronic Signatures

A14. All applicable certifications must be electronically signed and included with the Local Plan.

STEP 7: Final Check

- All certifications submitted to the CDE must be electronically signed.
- Local Plan must be submitted to the CDE using the SELPA's assigned Box.com web address.
- In order to facilitate the timely processing, approval, and distribution of SELPA funding, please submit the Local Plan in the original, CDE-approved format. All templates are coded for the CDE's record keeping purposes.
- Handwritten, scanned, or modified templates remove the coding from the fields and impede the CDE's processing of the Local Plan. In such cases, SELPAs may be required to resubmit

Section A: Contacts and Certifications

SELPA

Fiscal Year

handwritten, scanned, or modified Local Plans that are not saved in the original 2022–23 CDE Local Plan Submission template provided, resulting in a delay in approval and funding.

Section A: Contacts and Certifications

SELPA

Fiscal Year

Certification 1

Local Plan Section B: Governance and Administration

IMPORTANT: Certification 1 is required when the information being submitted to the CDE is related to Local Plan Section B: Governance and Administration.

I certify the attached Governance and Administration Local Plan section has been adopted by all LEA members listed in Attachment I and is the basis for the operation and administration of special education programs. I further assure the agency(ies) represented herein will meet all applicable requirements of state and federal laws, regulations, and state policies and procedures, including compliance with the Individuals with Disabilities Education Act (IDEA), Title 20 of *United States Code (USC)* 1400 et seq., implementing regulations under; the Federal Rehabilitation Act of 1973, 29 *USC*, Chapter 16 as applicable; the Federal Americans with Disabilities Act of 1990, 42 *USC*, 12101 et seq.; *Code of Federal Regulations*, Title 34, Parts 300 and 303; *EC* Part 30; and the *California Code of Regulations*, Title 5, Chapter 3, Division 1.

C1-1. I certify the SELPA governance and administrative structure as a:

- Single LEA SELPA Multiple LEA SELPA COE Joined SELPA

C1-2. The SELPA collaborated with the CAC throughout the development, amendment, and review of all Local Plan sections included with this submission?

- Yes No (If the answer is "NO," please include comments.)

C1-3. The SELPA reviewed and considered comments provided by the CAC regarding this Local Plan submission.

- Yes No (If the answer is "NO," please include comments.)

C1-4. Specific web address where the SELPA Local Plan, including all sections, is posted.

Administrative Entity*

Date

SELPA Governance Council or Responsible Individual

Date

Section A: Contacts and Certifications

SELPA

Fiscal Year

SELPA Administrator

Date

*If the Local Plan represents a single LEA SELPA, then the responsible individual identified in item A4 of Section A must sign here. If the Local Plan represents a multiple LEA SELPA, or a COE joined SELPA, then the administrative entity's designee identified in item A4 of Section A must electronically sign here.

Section A: Contacts and Certifications

SELPA

Fiscal Year

Certification 2

Local Plan Section D: Annual Budget Plan and Section E: Annual Service Plan

IMPORTANT: Certification 2 is required when the information being submitted to the CDE is related to Local Plan Section D: Annual Budget Plan and/or Section E: Annual Service Plan.

I certify the attached Local Plan Section D: Annual Budget Plan and/or Section E: Annual Service Plan was/were adopted at a SELPA public hearing(s) and is/are the basis for the operation and administration of special education programs specified herein. I further assure the LEAs identified in Attachment I will meet all applicable requirements of state and federal laws, regulations, and state policies and procedures, including compliance with the Individuals with Disabilities Education Act (IDEA), Title 20 of *United States Code (USC)* 1400 et seq., implementing regulations under; the Federal Rehabilitation Act of 1973, 29 *USC*, Chapter 16 as applicable; the Federal Americans with Disabilities Act of 1990, 42 *USC*, 12101 et seq.; *Code of Federal Regulations*, Title 34, Parts 300 and 303; *EC Part 30*; and the *California Code of Regulations*, Title 5, Chapter 3, Division 1.

C2-1. I certify the SELPA governance and administrative structure as a:

Single LEA SELPA Multiple LEA SELPA COE Joined SELPA

Yes No (If the answer is "NO," please include comments.)

Yes No (If the answer is "NO," please include comments.)

C2-4. Specific web address where the SELPA Local Plan, including all sections, is posted.

Administrative Entity*

Date

SELPA Governance Council or Responsible Individual

Date

SELPA Administrator

Date

Section A: Contacts and Certifications

SELPA

Fiscal Year

*If the Local Plan represents a single LEA SELPA, then the responsible individual identified in item A4 of Section A must sign here. If the Local Plan represents a multiple LEA SELPA, or a COE joined SELPA, then the administrative entity's designee identified in item A4 of Section A must electronically sign here.

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



California Department of Education
Special Education Division

SELPA

Fiscal Year

B. Governance and Administration

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

Participating Local Educational Agencies

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

Special Education Local Plan Area—Local Plan Requirements

1. Describe the geographic service area covered by the local plan: [EC 56195.1(d); EC 56195.1(a)(1); EC 56211; EC 56212]

The Marin County Special Education Local Plan Area (SELPA) is a multi-district SELPA comprised of eighteen (18) Local Educational Agencies (LEAs) including the Marin County Office of Education (MCOE). The MCOE is considered a Local Educational Agency for all purposes of this Local Plan except where referred to as the Administrative Unit (AU). The LEAs are joined together to provide for the coordinated delivery of programs and services to students with disabilities. In adopting the completed Local Plan, each LEA agrees to carry out the duties and responsibilities assigned to it within the plan and ensure equal access to programs and services to eligible students requiring special education in the service region.

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: [EC 56195.1(b)(1)-(3)(c); EC 56205(a)(12)]

The governance structure of the Marin County SELPA consists of the Operational Steering Committee (OSC), the Advisory Steering Committee (ASC), the Business Advisory Committee (BAC), and the Special Education Advisory Committee (SEAC). Under the direction of the OSC, a Marin County SELPA Administrator may convene additional committees, as needed. Marin County SELPA Administration is responsible for the coordination of the Marin County SELPA and implementation of the Local Plan.

The Marin County Office of Education serves as the Administrative Unit (AU) for the Marin County SELPA. The AU receives and distributes all special education funding; takes required funding for grants; adopts policies governing regionalized and County operated programs and services and distributes funds to districts operating special education programs and services. The AU adopts policies governing district operated programs and services. The AU approves the Marin County SELPA Local Plan.

The Marin County SELPA is comprised of six geographic areas. The regions consist of one or more Local Educational Agencies (LEAs). The local educational agencies are represented as

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follows: Area One (1): Tamalpais Union High School District; Larkspur-Corte Madera School District; Ross School District, Areas Two (2): Ross Valley School District; Nicasio School District; Lagunitas School District; Shoreline Unified School District, Area Three (3): Bolinas-Stinson Union School District; Reed Union School District; Sausalito-Marín City School District; Mill Valley School District; Kentfield School District, Area Four (4): San Rafael Elementary, San Rafael High, and Miller Creek School District, Area Five(5): Novato Unified, and Area Six (6): Marin County Office of Education and Laguna Joint Elementary.

A superintendent or designee from each of the six geographical areas composes the Operational Steering Committee (OSC). Annually, in collaboration with superintendents from each geographical area, the OSC takes action to select a superintendent to represent each geographical area within Marin County SELPA. An alternate superintendent is identified by the OSC to represent each area as the public may address questions or concerns to the governing board. substitute for the appointed superintendent. Of the six areas, Area Five - Novato Unified, and Area Six - the County Office of Education, are the two permanent members of the OSC. The Marin County Superintendent of Schools is the designated Superintendent of the Administrative Unit.

The OSC meets at least three times annually, and may meet more often as needed. Members representing two-thirds of the vote constitutes a quorum. A two thirds vote of those present will be sufficient to approve any actions. In the event of a 3-3 vote, a tie vote is a lost vote, as 2/3 is a majority under Robert's Rules of Order.

The OSC operates under the requirements of the Brown Act, providing a method by which members of the public may address questions or concerns to the governing board.

The OSC will:

- Establish operational procedures and make decisions on any matters regarding implementation, administration, and operation of special education programs in accordance with the Local Plan.
- Participate through its chairperson with the County Superintendent in the selection, supervision, and evaluation of the Assistant Superintendent of the Marin County SELPA.
- Participate through its chairperson with the County Superintendent in the selection of Marin County SELPA staff.
- Monitor the appropriate use of federal, state, and local funds allocated for special education programs.
- Approve the Marin County SELPA financial actions, including the distribution of special education funding to member LEAs that operate special education programs and services; development of cost containment agreements and procedures, and the Marin County SELPA Annual Service Plan and Annual Budget, and subsequent modifications, as needed.

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- Implement the Local Plan and provide the necessary direction and guidance to the Assistant Superintendent of the Marin County SELPA. Review and approve needed modification of the Local Plan on behalf of all member LEAs in the Marin County SELPA. Adopts amendments to the Local Plan as necessary.
- Develop procedures to ensure effective management and content of special education programs and services.
- Approve other agreements including, but not limited to, interagency agreements, facility agreements, and Memorandum of Understandings.
- Develop, review, and approve policy.

The ASC will:

- Advise the Marin County SELPA and the OSC regarding the status, accomplishments and needs of special education programs operated within the LEAs.
- Provide leadership and support through inter-district relationships to implement the Local Plan including regionalized services and programs.
- Act as a liaison with parents, community resources, district appointed SEAC members, other LEAs, Marin County SELPA Administration, and Superintendents of the LEAs.
- Gather, interpret, and report data regarding the implementation, administration, and operation of the Local Plan.
- Annually advise Marin County SELPA of annual program needs for consideration in the development of the Annual Budget and Service Plans.
- Recommend staff development activities in the Marin County SELPA.
- Function in accordance with the Local Plan.

The Business Advisory Committee (BAC) is composed of the chief business officer or designee from each of the Marin County SELPA's member LEAs. This committee advises the Marin County SELPA, ASC and OSC on all special education fiscal policies and procedures. The BAC makes recommendations regarding the allocation of special education funds. The business offices of all member LEAs follow Marin County SELPA approved procedures for reporting special education revenues and expenditures for each of the types of programs or services provided within the Marin County SELPA.

The Special Education Advisory Committee (SEAC) serves in an advisory capacity to the ASC, OSC, and Marin County SELPA. The SEAC consists of parent members nominated by the Marin County SELPA member local educational agency (LEA) boards and community agency representatives. Parents comprise most of the membership of the SEAC and, of these

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members, the majority must be parents of children with disabilities. At least two thirds of the parent membership establish a quorum.

The SEAC will:

- Advise the Marin County SELPA, ASC, and OSC regarding the development, amendment, and review of the Local Plan.
- Inform the Marin County SELPA regarding community conditions for students with disabilities.
- Make recommendations for annual priorities to be addressed by the Marin County SELPA.
- Assist in parent education and in recruiting parents/guardians, volunteers, and agencies who may contribute to the implementation of the Local Plan.
- Support activities on behalf of students with disabilities.

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: [EC 56195.7(i)(j)(1)(2)]

Boards of trustees of school districts, the AU Superintendent, and Operational Steering Committee (OSC) will develop and adopt policies and procedures for the special education programs and services provided in the Marin County Special Education Local Plan Area.

Such policies and procedures will include, but not be limited to, all areas specified in applicable sections of the Education Code. District boards of trustees will provide input on policy development through their representatives on the Operational Steering Committee (OSC).

The OSC will set policy after considering recommendations from the Advisory Steering Committee, Business Advisory Committee, and Special Education Advisory Committee.

Each local educational agency shall provide special education and services to all eligible students within its boundaries. Eligible students that cannot be served in a program operated by the agency of residence may be served by another agency within the county or outside of the county. The agencies may enter into agreements to provide service to eligible students.

In accordance with Education Code Section 52062, the Special Education Local Plan Area administrator annually provides consultation to the Superintendent or designee of each local educational agency to determine that specific actions for individuals with exceptional needs will be included in the local control and accountability plan or annual update to the local control and accountability plan and will be consistent with the strategies to be included in the annual assurances support plan for the education of individuals with exceptional needs.

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4. Clearly define the roles of the County Office of Education (COE) as applicable, and/or any other administrative supports necessary to coordinate and implement the local plan: [EC 56195.1(c); EC 56205(a)(12)(D)(i); EC 56195.5]

The SELPA Governing Board, the Operational Steering Committee (OSC), has designated the Marin County Office of Education (MCOE) as the Administrative Unit (AU) for the Marin County SELPA. The AU is the SELPA's fiscal agent and is responsible for implementing the following functions:

1. Receipt and distribution of special education funds for the operation of special education programs and services, pursuant to state and federal law. The AU Business Department advises the SELPA and LEAs regarding fiscal and budget monitoring related to the SELPA and special education programs.
2. Administrative support, including establishing and maintaining an office for SELPA staff, and includes, but is not limited to the distribution and maintenance of technology equipment, preparation and distribution of reports, and provision of meeting space for professional development activities and meetings.
3. Employment of SELPA staff to coordinate the implementation of the Local Plan. Annually, the SELPA Governing Board, shall identify the need for and designate SELPA staff necessary for the operation of SELPA functions. SELPA staff shall be employed by the Marin County Office of Education and shall be supervised and evaluated by the SELPA Director. SELPA positions will be advertised and selected according to Marin County Office of Education personnel procedures. Representatives from participating LEAs will be involved in the interview process for SELPA administrators. Recommendations for hire will be submitted to the Marin County Superintendent for approval.

5. Does the SELPA have policies and procedures that allow for the participation of charter schools in the local plan? [EC 56207.5]

Yes No

If No, explain why the SELPA does not have the policy and procedures.

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: [EC 56194(a)(b)(d); EC 56195.9(a)]

The community advisory committee in the Marin County SELPA is referred to as Special

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Education Advisory Committee (SEAC).

The committee consists of parents of students enrolled in general education, parents of students with disabilities enrolled in public or private schools, pupils or adults with disabilities, district personnel, including teachers, representatives of other public agencies, or other persons concerned with the needs of students with disabilities.

All parent members of the committee must reside within the geographic area of the Marin County SELPA.

Each member of the SEAC shall be appointed a two-year term and may be reappointed to serve additional consecutive terms.

The role of SEAC in the development of the Local Plan is to:

Encourage community involvement in the development and review of the Local Plan;

Provide a forum for members of the public, including parents or guardians of individuals with disabilities who are receiving services under the plan to address questions or concerns;

Review drafts;

Provide input;

Make recommendations to the Advisory Steering Committee and the OSC, and

Review the final Local Plan before submission.

To facilitate the process of reviewing the Local Plan before submission: i) A draft of the Plan is submitted by the SELPA Director to the SEAC at least 30 days prior to submission for review. ii) The SEAC Chairperson signs the plan on behalf of the committee to indicate a 30-day review period and compliance with the membership requirements of the SEAC.

Please refer to the Marin County SELPA Special Advisory Committee (SEAC) Bylaws maintained in the SELPA Office.

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: [EC 56205(a)(12)(E); EC 56205(b)(7)]

The Local Plan is developed and updated cooperatively by a committee of representatives of special and general education teachers, administrators, and representatives of charter schools. The Marin County SELPA office in collaboration with the SEAC Chairperson work to ensure the committee represents all key stakeholders within the Marin County SELPA. All committee

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participants are selected by superintendents, and parent members are selected by the SEAC Chairperson. Charter school participants are selected by Marin County SELPA Administration. Local Plan committee meetings take place at least every two years from the adoption of the most recent Local Plan, or more often as needed.

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: [EC 56836.01(a)(b); EC 56205(a)(12)(D)(ii); EC 56195(b)(3); EC 56030]

The Marin County Office of Education serves as the Administrative Unit (AU) for the Marin County SELPA. The AU receives and distributes all special education funding; takes required funding for grants; adopts policies governing regionalized and county operated programs and services and distributes funds to districts operating special education programs and services.

District Boards adopt policies governing district operated programs and services and provide input and approval of regionalized policies in the Local Plan. The AU and District Boards approve the Marin County SELPA Local Plan.

The Marin County Special Education Local Plan Area (SELPA) will meet maintenance of effort (MOE) regulations requiring that federal funds be used only to pay the excess costs of providing special education and related services to children with disabilities and to supplement and not supplant state and local funds for special education (ref: 34 Code of Federal Regulations (CFR), sections 300.203-300.205).

The Marin County SELPA Administrative Unit (AU), as the grantee of federal funds from the California Department of Education (CDE), will distribute all or part of the federal funds received to participating local education agencies (LEAs) within the Marin County SELPA through a sub-granting process and will annually conduct and report to the CDE the required MOE information. For the purposes of maintenance of effort, the Marin County SELPA AU is the recipient of the federal funds from CDE and is, in turn, a grantor of all or part of those funds as sub-grants to participating LEAs. The LEAs within the Marin County SELPA will compile and submit budget and expenditure information, including LMC-A and LMC-B reports.

Except as otherwise noted, funds provided to an LEA under Section 300.16 of Part B may be used only to pay the excess costs of providing special education and related services to children with disabilities. Excess costs are those costs for the education of an elementary school or secondary school student with a disability that are in excess of the average annual per student expenditure in an LEA during the preceding school year for an elementary school or secondary school student, as may be appropriate. An LEA must spend at least the average annual per student expenditure on the education of an elementary school or secondary school child with a disability before funds under Part B of the Act are used to pay the excess costs of providing special education and related services. Section 602(8) of the

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Act and §300.16 require the LEA to compute the minimum average amount separately for children with disabilities in its elementary schools and for children with disabilities in its secondary schools. LEAs may not compute the minimum average amount it must spend on the education of children with disabilities based on a combination of the enrollments in its elementary schools and secondary schools.

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: [EC 56195.7. EC 56195.1(b)(c)]

The Marin County SELPA enters into contractual agreements on an annual basis to determine the responsibilities of participating agencies for the education of students with disabilities. These contracts when established clearly outline the roles and responsibilities of each agency to serve students with disabilities within the Marin County SELPA.

Board policy of each LEA member of the Marin County SELPA Local Plan shall indicate that the LEA is responsible for educating students with disabilities in the least restrictive environment. Students with disabilities are served in their home districts whenever the needs identified in the individualized education program (IEP) can be met in the home district. However, it is recognized that some students with disabilities have unique educational needs that cannot be met in their home districts. Because of such identified unique needs, some students receive services from other districts or the Marin County Office of Education. The Local Plan serves as the contractual agreement for students with disabilities placed in regional programs.

Please refer to the Memorandum of Understanding By and Between the Marin County SELPA and –

- a) California Children's Services
- b) Golden Gate Regional Center

The Marin County SELPA member local educational agencies enter into agreements with Residential Treatment Centers (RTCs), Nonpublic Schools (NPSs), and Nonpublic Agencies (NPAs) through the use of a Master Contract and Individual Service Agreement (ISA). Every LEA will ensure there is a Master Contract and individual Service Agreement in place for a student(s) served by an NPS/A. The Marin County SELPA has established procedures for the development, distribution and coordination of signatures, and maintenance of all Master Contracts and Individual Service Agreements for member Local Educational Agencies (LEAs).

The Marin County SELPA ensures at least one (1) monitoring visit is completed during each school year to the nonpublic school(s) at which member LEAs have placed students and maintain a master contract. The Marin County SELPA ensures the monitoring visit findings are documented, and the required documentation is completed and submitted to the

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California Department of Education within sixty (60) days of the visit.

The SELPA Director reviews all new certification applications for any NPS or NPA located within the SELPA's geographical area.

The Marin County SELPA provides case management support to students placed through the IEP in RTCs and NPSs, including youth placed in Licensed Children Institutions attending nonpublic schools. There are established systems related to progress monitoring, data reporting, transitional supports, and graduation requirements for these students.

The SELPA is responsible for ensuring the continuum of special education services and programs is available to students with IEPs residing in licensed children's institutions and foster family homes located within the SELPA.

10. For multi-LEA local plans, specify:

- a. The responsibilities of each participating COE and LEA governing board in the policymaking process: *[EC 56205(a)(12)(D)(i)]*

The Operational Steering Committee (OSC) is responsible for developing and adopting appropriate policies regarding the implementation of the Local Plan for special education. Each district Superintendent by participation or representation in the Operational Steering Committee is charged with overseeing the operations of the Local Plan and implementing the policies adopted. Information is transmitted to the Advisory Steering Committee for implementation of the directives and policies and for the development of procedures. The Marin County SELPA provides a coordinating function and serves as staff to each of the groups.

The OSC may establish an adhoc committee in order to study any area of concern or potential conflict. This study group may include representatives from the other levels of the governance structure when determined appropriate; facilitators and consultants may be used. The adhoc committee will discuss and explore the issue(s) raised and make recommendations to the larger group which raised the issue, subsequently following through the procedures outlined for policy development when appropriate.

When a change may need to happen to an existing policy, a change may occur in the implementation of the Local Plan. The Marin County SELPA's process for policy development will be used to develop the necessary new procedures or policies. Such policies and procedures will include, but are not limited to, all areas specified in applicable sections of the Education Code.

Boards of trustees of school districts and the Administrative Unit (AU) will develop and adopt policies and procedures for the special education programs and services provided in the Marin County SELPA. Such policies and procedures will include, but not be limited to, all areas specified in applicable sections of the Education Code. District Boards of Trustees, including the

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Marin County Office of Education Board of Trustees, will provide input on policy development through their representative on the Operational Steering Committee.

b. The responsibilities of the superintendents of each participating LEA and COE in the implementation of the local plan: [EC 56205(a)(12)(D)(i)]

The Marin County Office of Education serves as the Administrative Unit (AU) for the Marin County SELPA to perform functions such as receipt and distribution of funds, provision of administrative support and coordination of the implementation of the plan.

Superintendents of each participating Local Educational Agency (LEA) carry out the duties and responsibilities assigned by their respective governing boards. The responsibilities of the superintendents in the implementation of the Local Plan include, but are not limited to:

- On an annual basis, superintendents review and approve special education programs and services of their local educational agency.
- Operate local programs consistent with state and federal law and regulations, and policies and procedures as part of the Special Education Local Plan.
- Develop and adopt policies for the operation of the Local Education Agency (LEA), which are consistent with those of the Special Education Local Plan Area, and which promote the concept to ensure access to appropriate programs and services for all children with disabilities.
- Cooperate with the Superintendent of the AU and the governing boards of participating Local Education Agencies to assure the availability of appropriate services to eligible individuals regardless of district of special education accountability.
- Approve the Local Plan developed for the Marin County Special Education Local Plan Area prior to review by the State Department of Education.
- Ensure LEA compliance with all elements of the Local Plan.
- Providing input and/or recommendations to the LEAs Board regarding policies, procedures and operation of the special education programs through the LEA's representative on the OSC.

Each member LEA will cooperate with the Marin County SELPA in the implementation of the Local Plan by:

- Provide staff development activities as specified in applicable sections of California education code;
- Provide program, employee, student and fiscal information to the Marin County SELPA to facilitate program coordination, fiscal accountability, budget preparation, staff training, and state,

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federal, and local reporting; and

- Assist in regional planning of the Marin County SELPA Local Plan;

Provide facilities for special education students per the Facilities Plan (Marin County SELPA Facilities Plan); and

- Approving only its portion of the annual services and budget plans.

c. The responsibilities of district and county administrators of special education in coordinating the administration of the local plan: [EC 56205(a)(12)(D)(i)]

It is the Marin County SELPA's responsibility to assure program availability for all students with disabilities in the school-age population regardless of the disability. It is incumbent upon the Marin County SELPA to see that a continuum of programs and services are available to meet the unique needs of each student with a disability, to assist in Intra-SELPA and Inter-SELPA placements, and to provide technical assistance and administrative support for the requirements of Federal and State laws. The Marin County SELPA Director is responsible for coordinating the administration of the Marin County SELPA Local Plan.

The Local Educational Agency (LEA) Special Education Administrator or designee is responsible for the coordination of special education services and programs within their LEA and for the implementation of the Local Plan. Each participating LEA is responsible for the coordinating the administration of the Local Plan by:

- Meeting the legal requirements for procedural safeguards.
- Assuring equal access to all programs and services operated by the district for all eligible special education students residing anywhere within the Marin County SELPA.
- Monitoring the appropriate use of federal, state and local funds allocated for special education programs.
- Utilizing the same Management Information Forms, procedures and guidelines for determining eligibility.
- Placing a student in a comparable special education program when an identified special education student moves into the Marin County SELPA. An IEP review will be held within 30 days of an interim placement.
- Providing parents with an up-to-date copy of their rights, in their primary language or mode of communication, and a list of free or low-cost legal services when requested.

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- Providing parents with information on local alternatives to due process including informal Marin County SELPA Review or Alternative Dispute Resolution.
- Implementing the decision of a complaint investigation or due process hearing officer.
- Paying any attorney(s) fees required as a result of mediation or an administrative or court procedure.
- Providing and coordinating transportation for special education students residing in the district as recommended in the IEP.
- Assuring full education opportunity to all students residing within the district.

In the event of a disagreement among local education agencies, local education agencies and the Administrative Unit (AU), local education agencies and/or the AU and the Marin County SELPA regarding the distribution of funding, responsibility for service provision and any other governance activities specified in the Local Plan, it is the intent of the Operational Steering Committee (OSC) that issues be resolved at the lowest level possible. The OSC is the board of last resort. If any party involved in a disagreement is a voting member on OSC, the alternate for that area will replace the voting member during the OSC resolution of the dispute. This policy is intended to resolve disagreements within a period of 45 days but is not intended to undermine local authority. If the permanent members dispute, they will not vote. In the event of a 3-3 vote, a tie vote is a lost vote, as 2/3 is a majority under Roberts Rule of Order (RRO).

If a local education agency disagrees with a decision or practice of another agency or the Marin County SELPA, that local education agency has a responsibility to discuss and attempt resolution of the disagreement with the party, or parties, directly involved. The parties involved will present the issues to their respective superintendents, or designee, who will attempt to resolve the matter. Either party may request the assistance of the Marin County SELPA Administrator, or his/her designee, or the Chair of the OSC. If this process fails, the parties may pursue a hearing on the issues and resolution with the OSC.

If either party disagrees with the recommendation of the OSC, and the dispute relates to the distribution of funding, the responsibility for service provision or other governance activities specified within the Local Plan, the parties agree to submit the dispute to mediation. The parties will make a good faith effort to mutually agree to a mediator with expertise related to the dispute. If the parties cannot agree on a mediator, the parties will submit the dispute to mediation administered by the American Arbitration Association under its Commercial Mediation Rules.

Any dispute unresolved in mediation, arising from a dispute that relates to the distribution of funding, the responsibility for service provision or other governance activities specified within the Local Plan, shall be settled by arbitration administered by the American Arbitration Association in accordance with its Commercial Arbitration Rules, and judgment on the award rendered by the arbitrator may be entered in any court having jurisdiction thereof. If the parties

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agree, a mediator involved in the parties' mediation may be asked to serve as the arbitrator. Each party shall bear its own costs and expenses and an equal share of the mediator's and/or arbitrator's and administrative fees of arbitration.

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: [EC 56205(a)(12)(D)(ii)(I)]

The Operational Steering Committee (OSC) participates with the Marin County Office of Education in the hiring, supervision and evaluation of the Marin County SELPA Administrator. The Marin County Office of Education serves as the Administrative Unit (AU) for the Marin County SELPA and is the employer of all Marin County SELPA staff.

Under the supervision of the Marin County Superintendent of Schools and the chairperson of the OSC, the Marin County SELPA Director is responsible for:

- Coordinating the administration and implementation of the Marin County SELPA Local Plan.
- Providing administrative staff for local alternate dispute resolution and for nonpublic school placements and staff development.
- Developing and providing forms, manuals and handbooks.
- Establishing the OSC, ASC and SEAC meeting schedules and agendas.
- Assisting the OSC and serving as a liaison with the AU Board.
- Preparing the regional special education plan and state, federal and local reports as required, from the Special Education Advisory Committee (SEAC) and school districts through the OSC, the Advisory Steering Committee (ASC) and the Business Advisory Committee (BAC).
- Coordinating services to students with disabilities with districts and other local public agencies through the development of procedures and negotiation of agreements.
- Developing and implementing a plan for providing staff development opportunities to staff, parents, SEAC, and others.
- Collecting, processing and reporting program, personnel and fiscal data related to the state evaluation of special education as specified in accordance with State and Federal laws and regulations. Develop regionalized services budgets, and distribute regionalized services funds as approved by OSC.

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Recommending to the OSC the number, type, location and operator of special education classes, programs and services based upon service limits and proportions established by the state.

Coordinating, documenting and reporting child find activities in public and private schools and public awareness activities for the Marin Special Education Local Plan Area as required by the State.

Maintain an inventory, complete required reports, receive funds and approve purchases for low incidence pupils utilizing the low incidence funds for equipment and services based upon State Department of Education approved guidelines and local policies and procedures.

Evaluating Marin County SELPA staff with input from the OSC Chairperson and the Marin County Superintendent of Schools.

If employment issues involve a Marin County SELPA Director, the Marin County Superintendent of Schools will discuss the issue(s) with the Chairperson of OSC and may make any recommendations to OSC as deemed necessary.

The Marin County Office of Education is the Marin County SELPA's fiscal agent and is responsible for serving as the employing agency for personnel who have responsibilities throughout the Local Plan Area. Such personnel will include, but is not limited to, the Marin County SELPA Director for the Local Plan Area, Coordinator, Assistant Program Manager, and Accountant. The SELPA Director will supervise and evaluate Administrative staff of the Marin County SELPA. Classified employees who support the implementation of the Local Plan are supervised by the SELPA Director and Coordinator whom they support within the Marin County SELPA. Employment of such personnel will be in accordance with personnel policies and practices of the AU and in coordination with any procedural employment policies approved by the OSC to implement the Local Plan.

- b. The local method used to distribute federal and state funds to the SELPA RLA/AU and to LEAs within the SELPA: [EC 56205(a)12(D) (ii)(II); EC 56195.7(i)]

Each year prior to June 1st, the Marin County SELPA Director will recommend a proposed distribution of special education funds to the Business Advisory Committee (BAC) and the Advisory Steering Committee (ASC) for the following year. The BAC and ASC will recommend an annual fiscal allocation plan for the distribution of special education funds to the Operational Steering Committee (OSC). The Marin County SELPA Director will utilize pupil count information, input from the ASC and BAC, and other sources of information and data collected to formulate a yearly recommendation for the distribution of special education funds.

Upon approval by the OSC, the Marin County SELPA Director will direct the Marin County business office to distribute special education funds for the following year to each district of

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service, based upon the fiscal allocation plans approved by the OSC. Each superintendent will plan for budgeting and staffing based on the proposed distribution of special education funds.

c. The operation of special education programs: [EC 56205(a)(12)(D)(ii)(III)]

The Marin County SELPA believes that all students can learn and that students with disabilities must be provided an equal opportunity to become contributing members of society. To support students with disabilities and their families, the Marin County SELPA office facilitates the development and operation of

high-quality educational programs and services for students with disabilities and training for parents and educators. Additionally, the Marin County SELPA office collaborates with county agencies and LEAs to develop and maintain healthy and enriching environments in which students with disabilities can succeed. In order to implement the Local Plan, the Marin County SELPA Director and Administrators are considered “school officials and employees” regarding the access to student records.

The Marin County SELPA :

Assures that an effective management information system is available to monitor student data;

Maintains lines of communication with parents, staff and Special Education Advisory Committee (SEAC) members;

Maintains line of communication with all publicly supported agencies providing services to students with disabilities;

Maintains lines of communication with the community regarding special education programs and services;

Maintains high quality regionalized special education services to support participating districts;

Responds to specific areas of local, state and public concerns;

Emphasizes the need for effective special education services to improve educational and life outcomes for students with disabilities; and organizes school officials for support of common education goals.

The Marin County Office of Education:

The Marin County Office of Education (MCOE) provides regionalized special education programs for students with mild to severe support needs to the seventeen (17) school districts within the Marin County SELPA. Services and programs are provided to students from birth through age 22.

As a participant in California's Early Start Program, the MCOE has an Early Start Intervention program, serving infants and toddlers. Children who are eligible for services due to a low incidence disability and/or any other disabling condition are served by the Golden Gate Regional Center. Children who are eligible for services solely due to a low incidence disability such as Orthopedic, Vision or Hearing Impairments, are served by the Marin County Office of Education.

The MCOE offers a variety of learning experiences for preschool-aged children who require special education services. Special day classes, small group instruction, specialized services for young children on the autism spectrum, programs that build mobility skills and remedial speech and language instruction are among the many services available.

The MCOE Special Education Department operates a variety of special day classes (SDC) for students with mild to moderate or extensive support needs, ages 5-22, who have physical, emotional, cognitive, or developmental disabilities.

The MCOE offers Deaf and Hard of Hearing services for students who are deaf and hard of hearing from age three to 22 years old, whose hearing loss range from mild to profound. Students with these low incidence disabilities are provided with specialized support in district schools, special education classrooms, and other community settings.

The MCOE offers a Visual Impairment (VI) Program that provides services and learning resources for students from age three to 22 years old who meet the eligibility criteria for VI. VI support range from daily intervention for students with intense to monthly consultation for students who require less assistance. These itinerant services are provided in a manner like those described above for students with hearing impairments.

The member Local Educational Agencies (LEAs) comprising the Marin County Special Education Local Plan Area believe that special education is an integral part of the educational process and not separate in any way. Special education is a means of supporting the capacity of the educational system to serve the needs of all students. It is the intent of the districts in the Marin County SELPA to serve students with disabilities in the least restrictive environment consistent with their academic and non-academic needs.

The Marin County SELPA has a policy for students with disabilities who will receive their education in chronologically age-appropriate general education classrooms at neighborhood school sites unless there is an educationally compelling reason why this cannot be accomplished.

The Local Educational Agency (LEA):

Each member LEA is responsible for, but not limited to the following, in the operation of special education programs:

Operating local programs consistent with state and federal law and regulations and policies and

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procedures approved for the Marin County SELPA.

Cooperating with the Superintendent of the AU and the LEAs governing board to assure the availability of appropriate services to eligible students regardless of the district of special education accountability.

Assuring equal access to all programs and services operated by the district for all eligible special education students residing anywhere within the Marin County SELPA.

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

Placing a student in a comparable special education program when an identified special education student moves into the Marin County SELPA. An IEP review will be held within 30 days of an interim placement.

Providing and coordinating transportation for special education students residing in the district as recommended in the IEP.

Assuring full education opportunity to all students residing in the district.

The following guidelines are utilized by member LEAs operating special education programs in order to achieve the least restrictive environment for students with disabilities:

To the maximum extent appropriate, individuals with disabilities will attend the school they would attend if not disabled.

Removal from the general education classroom environment will occur only when the nature of the disability is such that education in regular classes, with the use of special education and related services, cannot be achieved satisfactorily.

To the maximum extent appropriate, individuals with disabilities will be placed in programs that will ensure maximum interaction with the regular classroom and school environment.

Individuals with disabilities will have equal access to all activities, programs and facilities on the general school site. Participation in activities will be determined upon the individual needs of the disabled student.

Special day classes will be included in discussions regarding long range planning. Commitments for classroom space on regular school campuses will continue in order to avoid frequent program relocations and to allow individuals with disabilities to develop relationships with non-disabled peers and access to appropriate general education programs.

The IEP team will determine the extent to which an individual with disabilities participates in general classroom education with non-disabled peers. The determination of appropriate program placement, related services needed, and curriculum options offered is made by the IEP

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d. Monitoring the appropriate use of federal, state, and local funds allocated for special education programs: [EC 56205(a)(12)(D)(ii)(IV)]

The OSC is responsible for monitoring the utilization of funds within the Local Plan Area and recommending amendments to the Marin County SELPA fiscal allocation plan.

Each member LEA is responsible for monitoring the appropriate use of federal, state, and local funds allocated for special education programs.

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: [EC 56206]

The Low Incidence allocation supports the purchase of books, materials, equipment, and services and is bundled into one allocation. The allocation from the California Department of Education is as follows: 70% for materials and supplies and 30% for services.

Any unexpended funds are utilized to support the reimbursement of costs where reimbursement requests have exceeded the allocation. When the amount eligible for reimbursement exceeds the total allocation the reimbursement for the LEAs shall occur on a prorated share. All remaining Low Incidence monies shall be carried over into next year's Low Incidence allocation.

All Low Incidence reimbursement requests shall be received by the Marin County SELPA office on or before June 1st. The above Low Incidence allocation model serves to protect the reimbursement of Low Incidence books, materials, equipment, and services at a rate consistent with prior expenditures.

Please refer to Guidelines for Low Incidence Services (MCS - 33) maintained in the SELPA Office.

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 (If applicable. Leave blank if not applicable);

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the document title; and the physical location where the policy can be found.

1. Free Appropriate Public Education: 20 USC Section 1412(a)(1); EC 56205(a)(1)

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

2. Full Educational Opportunity: 20 USC Section 1412(a)(2); EC 56205(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); EC 56205(a)(3)

Policy/Procedure Number:

Document Title:

Document Location:

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"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); EC 56205(a)(4)**

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

5. Least Restrictive Environment: USC Section 1412(a)(5); EC 56205(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

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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); EC 56205(a)(6)

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

7. Evaluation: 20 USC Section 1412(a)(7); EC 56205(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); EC 56205(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

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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); EC 56205(a)(9)

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

10. Private Schools: 20 USC Section 1412(a)(10); EC 56205(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); EC 56205(a)(11)

Policy/Procedure Number:

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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); EC 56205(a)(12)(D)(iii)

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

13. Governance: 20 USC Section 1412(a)(13); EC 56205(a)(12)

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

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14. Personnel Qualifications; EC 56205(a)(13)

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

15. Performance Goals and Indicators: 20 USC Section 1412(a)(15); EC 56205(a)(14)

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); EC 56205(a)(15)

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

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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); EC 56205(a)(16)

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

18. Maintenance of Effort: 20 USC Section 1412(a)(18); EC 56205(a)(17)

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); EC 56205(a)(18)

Policy/Procedure Number:

Policy/Procedure Title:

Document Location:

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"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); EC 56205(a)(19)

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

21. Access to Instructional Materials: 20 USC Section 1412(a)(23); EC 56205(a)(20)

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); EC 56205(a)(21)

Policy/Procedure Number:

Document Title:

Document Location:

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"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); EC 56205(a)(22)

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

Administration of Regionalized Operations and Services

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

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

Document Title:

Document Location:

Description:

Description:

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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 their representative to the Operational Steering Committee will approve any policies and procedures needed to implement the Local Plan.

2. Coordinated system of identification and assessment:

Document Title:

Document Location:

Description:

3. Coordinated system of procedural safeguards:

Document Title:

Document Location:

Procedural safeguards will be followed by each SELPA member LEA, in accordance with State and Federal laws and regulations.

The Marin County SELPA Administrators shall provide: alternate dispute resolution with districts, as requested by parents; assist parents with filing complaints with the Office of Administrative Hearings, when requested; and assure procedural safeguards by providing technical

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Description:

assistance and guidance on forms and procedures to LEAs in the areas of assessment, identification, and placement.

The LEAs provide procedural safeguards to parents consistent with education code, assist parents understanding of their procedural safeguards, and ensure that procedural safeguards are implemented. The LEAs shall assist parents with filing complaints with the Office of Administrative Hearings, when requested.

A procedural safeguards notice shall be made available to parents/guardians of students with a disability annual, and upon initial referral for evaluation; each notification of an IEP meeting; reevaluation of the student, and; registration of a complaint.

The Marin County SELPA has policies that address the Coordinated Systems of Procedural Safeguards as indicated below:

Procedural Guidance to IEP Teams (MCS - 35)

Policy and Procedures Independent Educational Evaluations (MCS - 37)

Non-Adversarial IEP Meeting Policy (MCS - 39)

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

Document Title:

Document Location:

Description:

On an annual basis, input is collected from the Special Education Directors from member LEAs to determine the staff development needs that the Marin County SELPA is requested to provide. On an annual basis, the Special Education Advisory Committee will provide input on the parent and guardian education needs. The Marin County SELPA will develop a plan annually following the consultation from key stakeholders, and provide needed training and supports as requested, or determined appropriate for its member LEAs.

The LEAs shall determine their staff development and parent and guardian education, based on their local needs. They may seek technical assistance or involvement from the Marin County SELPA.

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

Document Title:	Coordinated System of Curriculum Development and Alignment with the Core Curriculum
Document Location:	SELPA Office; 1111 Las Gallinas Ave, San Rafael, CA 94903
Description:	The Marin County SELPA will provide technical assistance, staff development, and coordinate curricular resources for students with disabilities. LEAs shall determine their need for curricular development and alignment with the core curriculum, based on their local needs.

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

Document Title:	Coordinated System Internal Program Review, Evaluation of the Effectiveness of the Local Plan, and Implementation of the Local Plan Accountability System
Document Location:	SELPA Office; 1111 Las Gallinas Ave, San Rafael, CA 94903
Description:	<p>The Marin County SELPA Administrator/designee is responsible for coordinating internal program reviews, evaluating the effectiveness of the Local Plan, and implementation of the Local Plan Accountability System by: assisting in the preparation, implementation and follow-up of state reviews including those that are part of the state’s quality assurance process (QUAP; assisting in preparation, implementation, technical assistance and follow-up to state or special reviews; and conducting audits or reviews for district programs, as requested.</p> <p>The Marin County SELPA office will lead a review of the effectiveness of the Local Plan at a minimum of every three years.</p> <p>Individual LEAs shall review and monitor 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 shall engage in monitoring activities as required by the CDE. Following these reviews, annual consultation shall occur with the Marin County SELPA and the Local Plan may be amended accordingly to better represent its member LEAs to generate positive outcomes for students with disabilities.</p>

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7. Coordinated system of data collection and management:

Document Title:	Coordinated System of Data Collection and Management
Document Location:	SELPA Office; 1111 Las Gallinas Ave, San Rafael, CA 94903
Description:	<p>The Marin County SELPA will approve the California Longitudinal Assessment and Pupil Data System (CALPADS) submission of each member LEA as required by the California Department of Education. The Marin County SELPA will provide technical assistance and training to LEAs as requested by the LEAs, and/or deemed necessary by the Marin County SELPA to assist LEAs in collecting data and reporting information to the California Department of Education.</p> <p>The LEAs are responsible for data entry, quality and integrity. The LEAs will approve the California Longitudinal Assessment and Pupil Data System (CALPADS) submission as required by the California Department of Education prior to the SELPA certifying the data.</p>

8. Coordination of interagency agreements:

Document Title:	Coordination of Interagency Agreements
Document Location:	SELPA Office; 1111 Las Gallinas Ave, San Rafael, CA 94903
Description:	<p>The Marin County SELPA Director, or designee, will serve on committees as interagency agreements are being reviewed, revised, or developed. The Marin County SELPA Director will ensure that interagency agreements are in place as required by California Education Code and provide technical assistance and dispute resolution as needed.</p> <p>Through their representative to the OSC, the LEAs shall implement interagency agreements as appropriate. See Memorandum of Understanding By and Between The Marin County SELPA and –</p> <ul style="list-style-type: none">a) California Children’s Servicesb) Golden Gate Regional Center

9. Coordination of services to medical facilities:

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Document Title:	<input type="text" value="Coordination of Services to Medical Facilities"/>
Document Location:	<input type="text" value="SELPA Office; 1111 Las Gallinas Ave, San Rafael, CA 94903"/>
Description:	<p>Individuals with exceptional needs who are placed in a public hospital, state licensed children's hospital, psychiatric hospital, proprietary hospital, or health facility for medical purposes are the educational responsibility of the local educational agency in which the hospital or facility is located.</p> <p>The Marin County SELPA will facilitate the coordination of these services by the designated LEAs.</p>

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

Document Title:	<input type="text" value="Coordination of Services to Licensed Children's Institutions and Foster Family Homes"/>
Document Location:	<input type="text" value="SELPA Office; 1111 Las Gallinas Ave, San Rafael, CA 94903"/>
Description:	<p>Special education services for students with disabilities residing in foster family homes or Licensed Children's Institutions (LCI) shall be the responsibility of the district in which the foster family home or the licensed children's institution is located, unless based on education code there is another district of special education accountability which would be responsible.</p> <p>The Marin County SELPA is responsible for coordinating the identification, assessment and IEP process for LCI or foster family home special education students who require nonpublic school services. Students receiving special education services and residing in LCI or foster family homes who do not require nonpublic school services are the responsibility of the district in which the LCI or foster family home is located, and will be referred, identified, assessed, and placed in special education programs utilizing the processes developed by the Marin County SELPA.</p>

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

Document Title:	<input type="text" value="Preparation and Transmission of Required Special Education Local Plan Area Reports"/>
Document Location:	<input type="text" value="SELPA Office; 1111 Las Gallinas Ave, San Rafael, CA 94903"/>

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Description:

The Marin County SELPA Administrator will ensure timely transmission of required reports and provide technical assistance to LEAs in completing those reports.

The Marin County SELPA's member LEAs will submit required data in order for the Marin County SELPA to submit timely reports.

12. Fiscal and logistical support of the CAC:

Document Title:

Document Location:

Description:

The Marin County SELPA Community Advisory Committee is known as Special Education Advisory Committee (SEAC). The Marin County SELPA will provide fiscal and logistical support to SEAC meetings, events, and trainings. The OSC will ensure the Marin County SELPA has sufficient resources to provide fiscal and logistical support for the SEAC.

LEA Directors or designee will facilitate communication between their LEA stakeholders and SEAC representatives..

The Marin County SELPA's SEAC Bylaws address the fiscal and logistical support of the CAC.

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

Document Title:

Document Location:

The Marin County SELPA will assure that students with disabilities will get to and from school in the same manner as their non-disabled peers, unless the IEP team determines that the needs of the student require more restrictive transportation services. Accommodations and/or modifications to regular transportation, including special seating, restraints, behavior interventions, etc. will be considered and implemented as appropriate. Student's eligible for special education services who requires special transportation services, shall receive transportation as a related service if an IEP team determines that such

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Description:

service is necessary for the student to benefit from special education services, or access the core curriculum in the least restrictive environment.

LEAs shall ensure that appropriate transportation services are provided for students with disabilities as specified in their individualized education program (IEP) or accommodation plan. Transportation will be provided at no cost to the student or their parents. The method of transportation is determined by the LEA and may be provided by the LEA, through contract with another public or private agency or by agreement to reimburse the parent.

Marin County SELPA's Special Education Transportation Guidelines address Coordination of Transportation Services for Individuals with Exceptional Needs. Special Education Transportation Guidelines (MCS 47)

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

Document Title:

Document Location:

Description:

The Marin County SELPA will provide technical assistance and staff development as needed. The Marin County SELPA will ensure appropriate interagency agreements are in place and facilitate connection to agencies, as appropriate. The Marin County SELPA notice of IEP meeting includes the participants of other public agencies at IEP meetings that are held to discuss transition services. These agency representatives receive a copy of the notice of IEP meeting prior to the meeting date. If the agency representative does not attend the IEP meeting the LEA representative will follow up with the representative regarding transitions services.

See Memorandum of Understanding By and Between The Marin County SELPA and Golden Gate Regional Center.

15. Assurance of full educational opportunity:

Document Title:

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Document Location:

Description:

The Marin County SELPA is responsible for assuring that pupils have full educational opportunity regardless of the district of residence. Through the approval of the Annual Services Plan, the Marin County SELPA ensures that a full continuum of program options is available to meet the needs of students with disabilities.

The Marin County SELPA will assist member LEAs with Inter-SELPA Agreements, as determined necessary to meet the unique needs of students.

Each LEA is responsible for providing a full continuum of services to students with disabilities. The IEP team’s determination of appropriate program placement, related services needed, and curriculum options to be offered is based upon the unique needs of the student. All students with disabilities shall have access to the variety of educational programs and services available to non-disabled students, including nonacademic and extra-curricular services and activities.

Please see the following:

- Alternative Education Programs Policy (MCS - 25)
- Suspension & Expulsion/Due Process and Students with Disabilities Policy (MCS - 20)
- Guidelines for Home Use of Low-Incidence Equipment (MCS - 33)
- IEP Team Referral to a Non-Severe SDC Placement (MCS - 36)
- Program Transfers Policy and Procedures (MSC - 41)
- Policy and Procedures for the Provision of Special Circumstance Assistance as a Related Service (MSC - 46)

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.

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Document Title:

Document Location:

Description:

The Marin County SELPA will facilitate the distribution of funds in accordance with the Fiscal Allocation Plan approved by the OSC. The Marin County SELPA shall adopt an annual budget plan at a public hearing scheduled at an OSC meeting in compliance with all legal mandates. The annual budget plan shall identify expected income and expenditures as required by state and federal law.

Each LEA through their representative to the OSC will determine and approve the 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.

Please refer to:

- Annual Budget Plan
- Fiscal Allocation Plan
- Criteria for Consideration of Request for Reimbursement for Low-Incidence Materials and Equipment - (MCS - 44)
- Guidelines for Low-Incidence Services (MCS - 33)
- Maintenance of Effort Procedures (MCS - 18)

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

Document Title:

Document Location:

As a condition of receiving local funds for regionalized services and the direction instruction support of program specialists.

The Marin County SELPA assures that all regionalized operations and services listed below are provided in accordance with the Local Plan: Program Specialists are not employed in the Marin County SELPA.

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Regionalized services of EC Section 56780 are delivered and coordinated by the Marin County SELPA Administrators as follows:

- A coordinated system of identification and assessment.
- A coordinated system of procedural safeguards.
- A coordinated system of staff development and parent education.
- A coordinated system of curriculum development and alignment with the common core.
- A coordinated system of internal program review, evaluation, and effectiveness of the Local Plan, and implementation of the Local Plan accountability mechanism.
- A coordinated system of data collection and management.
- A coordinated system of alternative dispute resolution process.
- Coordination of interagency agreements.
- Coordination of services to medical facilities.
- Coordination of services to licensed children institutions and foster homes.
- Preparation and transmission of required Marin County SELPA reports.
- Fiscal and logistical support of the SEAC.
- Coordination of career, vocational, and transition services.
- Coordination of transportation services for individuals with disabilities.
- Means by which full educational opportunity is ensured.
- Fiscal administration and the allocation of state and federal funds.
Provides the Coordination of the Marin County SELPA.
- Develops operations manual and forms to be utilized in the Marin County SELPA. These operations manuals and forms are developed with input from the Advisory Steering Committee and the Special Education Advisory Committee. The operations manual is approved by the Operational Steering Committee.

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Special Education Local Plan Area Services

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

Document Title: Early Childhood and Special Education

Document Location: SELPA Office; 1111 Las Gallinas Ave, San Rafael, CA 94903

The Marin County IDEA Part C Program ensures that infants and toddlers with disabilities or at risk for developmental delays in Marin County receive coordinated services. Part C agency representatives meet to review referrals received and determine which agency, the Marin County Office of Education, on behalf of the SELPA, or, the Golden Gate Regional Center, shall be responsible for case management including assessment, Individual Family Service Plan (IFSP) development and the provision of needed services.

For planning purposes, Golden Gate Regional Center (GGRC) sends a monthly non-child identifiable demographic list of students (Birth to 3) currently enrolled in GGRC Programs to the Marin County Office of Education (MCOE)/Local Educational Agency (LEA). As part of the child find requirements for transition, GGRC will send individual notification to MCOE/LEA of all children ages 2.6 to 36 months who are currently receiving GGRC services. The notifications will serve as notification of children potentially eligible for Part C services. With parent permission GGRC will provide the MCOE/LEA with information and records for infants/toddlers beginning at age 2.6 who may be eligible for services under Part B.

In addition, GGRC and MCOE staff has regularly scheduled meetings to exchange information regarding infant/toddler and family needs and services and information.

GGRC will be the single point of entry for most eligible infants/toddlers; however, the MCOE will provide intake of infants/toddlers with solely low incidence disabilities. The agency receiving the initial referral will contact the family, and notify the other agency of the referral if it appears that the child may be eligible for services from the other agency and will be reviewed and acted upon within appropriate timelines. Every effort will be made to work collaboratively with parents to enhance communication among families and agencies.

When the complete referral is received by GGRC or the MCOE, a

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service coordinator will be assigned by the Early Start Program Coordinator for that agency (see Service Coordination). Once a complete referral is received, and a service coordinator is assigned, an assessment/evaluation for eligibility will be scheduled by the service coordinator.

For children with solely low incidence disabilities, MCOE will provide the service coordination. GGRC will assume responsibility for service coordination of children eligible for services that do not have a solely low incidence disability. Both agencies will carry out service coordination responsibilities as noted in Section 52121 in the Early Start Regulations, and will collaboratively determine which agency is responsible for service coordination for children who are dually eligible. The Marin County Office of Education operates a home and center based program. Most toddlers attend this program for one or more days per week with their parent(s) so that program staff may assist the parents to work with their children in the identified areas of need. Teachers in the Early Start program conduct frequent home visits, particularly with the infants, to address home-based issues. Staff assists families in connecting with the wide array of services available, including attending medical appointments with the family, in order to help navigate a complex system of programs and services.

Prior to a child turning 3-years of age, Early Start teachers will coordinate the transition of the student and their family to either district or the Marin County Office of Education’s Early Intervention Program for those students who continue to be eligible and need special education services.

The Marin County SELPA has a continuum of programs for preschool aged children who require special education services. Children who are 3 or 4 years-old and not yet school age-eligible to attend TK or Kindergarten, can receive instruction geared to their individual needs. Non Intensive programs include the provision of individual and small group instruction. Based on assessed student needs, services are provided by credentialed Early Childhood special education teachers, licensed and/ or credentialed speech and language therapists, occupational therapists, and vision or hearing specialists. More intensive programs include special day classes for students with mild to moderate or extensive support needs, moderate to severe special day classes for students who have global developmental delays and require direct instruction in all areas, and special day classes for students with autism who have needs in the area of language, sensory regulation, and social relationships.

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Parents/Guardians receive information regarding the special education referral process and the continuum of preschool services available within the Marin County SELPA. This information is also provided to agencies, physicians, private preschools, Head Start preschool providers and caregivers.

Please refer to the Interagency Agreement between the Marin County Special Education Local Plan Area and Golden Gate Regional Center.

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:

Document Title:

Document Location:

Description:

3. A description of a dispute resolution process, including mediation and final and binding arbitration to resolve disputes over the distribution of funding, the responsibility for service provision, and the other governance activities specified within the local plan:

Document Title:

Document Location:

The Marin County SELPA Office in the event of a disagreement among local education agencies, local education agencies and the Administrative Unit (AU), local education agencies and/or the AU and the SELPA regarding the distribution of funding, responsibility for service provision and any other governance activities specified in the Local Plan, it is the intent of the Operational Steering Committee (OSC) that issues be resolved at the lowest level possible. The OSC is the board of

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last resort. If any party involved in a disagreement is a voting member on OSC, the alternate for that area will replace the voting member during the OSC resolution of the dispute. This policy is intended to resolve disagreements within a period of 45 days but is not intended to undermine local authority. If the permanent members dispute, they will not vote. In the event of a 3-3 vote, a tie vote is a lost vote, as 2/3 is a majority under RRO.

If a local education agency disagrees with a decision or practice of another agency or the SELPA, that local education agency has a responsibility to discuss and attempt resolution of the disagreement with the party, or parties, directly involved. The parties involved will present the issues to their respective superintendents, or designees, who will attempt to resolve the matter. Either party may request the assistance of the SELPA Administrator, or his/her designee, or the Chair of the OSC. If this process fails, the parties may pursue a hearing on the issues and resolution with the OSC.

If either party disagrees with the recommendation of the OSC, and the dispute relates to the distribution of funding, the responsibility for service provision or other governance activities specified within the Local Plan, the parties agree to submit the dispute to mediation. The parties will make a good faith effort to mutually agree to a mediator with expertise related to the dispute. If the parties cannot agree on a mediator, the parties will submit the dispute to mediation administered by the American Arbitration Association under its Commercial Mediation Rules. Any dispute unresolved in mediation, arising from a dispute that relates to the distribution of funding, the responsibility for service provision or other governance activities specified within the Local Plan, shall be settled by arbitration administered by the American Arbitration Association in accordance with its Commercial Arbitration Rules, and judgment on the award rendered by the arbitrator may be entered in any court having jurisdiction thereof. If the parties agree, a mediator involved in the parties' mediation may be asked to serve as the arbitrator. Each party shall bear its own costs and expenses and an equal share of the mediator's and/or arbitrator's and administrative fees of arbitration.

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

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Document Title:

Document Location:

Description:

5. A description of the process being used to oversee and evaluate placements in nonpublic, nonsectarian schools and the method of ensuring that all requirements of each student's individualized education program are being met. The description shall include a method for evaluating whether the student is making appropriate educational progress:

Document Title:

Document Location:

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Description:

representative of the District of Special Education Accountability (DSEA) or the Marin County SELPA will attend an IEP meeting for the student at least annually, or more often if needed, to review student progress.

In accordance with AB 1172, a representative of the DSEA that enters into a master contract with a nonpublic, nonsectarian school or a Marin County SELPA Administrator will conduct an onsite visit to the nonpublic, nonsectarian school.

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

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

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

Document Title:

Free and Appropriate Public Education to Adults Incarcerated in a County Jail

Document Location:

SELPA Office; 1111 Las Gallinas Ave, San Rafael, CA 94903

The Marin Districts in conjunction with the Marin County Office of Education shall actively and systematically seek out all "eligible adults" residing within its boundaries. The LEAs within the SELPA shall ensure that they are identified and provided a FAPE consistent with this policy. Every individual with disabilities who is eligible to receive special education instruction and related services under the Individuals with Disabilities Education Act (IDEA) and state special education laws, shall have access to that instruction and those services at no cost, as appropriate, to him or her. FAPE shall be available to individuals with disabilities in accordance with Section 1412(a) (1) of Title 20 of the United States Code and Section 300.101 of Title 34 of the Code of Regulations.

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Description:

Individuals in the federal correctional system fall under the jurisdiction of the Federal Bureau of Prisons within the Department of Justice. IDEA makes no specific provision for funding services for individuals with disabilities through the Bureau of Prisons. Individuals in the state correctional facilities fall under the jurisdiction of the State Department of Corrections. This Policy is to address adult students who are incarcerated in the County Jail within the County of Marin. Adults who are aged 18 to 21 years, who have not graduated with a high school diploma, who, at the time they turned 18 were identified as an individual with disabilities and had an individualized educational program (IEP) under the IDEA, are also entitled to a FAPE (hereinafter referred to as "eligible adults"). (See 20 U.S.C. 1400 (d)(I)(A), (B), (C); 20 U.S.C. 1412 (a)(I)(A); California Education Code (EC) 56000, 56026(c)(4)). This applies to adults incarcerated in California adult jails and prisons.

However, individuals aged 18 through 21, who in the educational placement prior to his or her incarceration in an adult correctional facility was not identified as an individual with disabilities or did not have an IEP under the IDEA, is not entitled to a FAPE (20 U.S.C. 1412(a)(I)(B); California Education Code (EC) 56040(b)).

For eligible adults the District of Special Education Accountability shall be the last district of special education accountability in effect prior to the pupil's attaining the age of majority shall become and remain as the responsible educational agency, as long as and until the parent or parents relocate to a new district of special education accountability. (See California Education Code (EC) 56041 (a)).

Marin County Office of Education (MCOE) shall, on behalf of the DSEA, be the provider of services identified in the FAPE offer as described above. If an eligible adult consents to receive services, MCOE will work with the DSEA and the correctional facility staff to offer services to the eligible adult student with disabilities consistent with the services currently offered through MCOE in the adult correctional facilities. Once MCOE is informed that an eligible adult is incarcerated in an adult correctional facility, they will determine whether the eligible adult requests to receive FAPE. Once the request has been made, MCOE will contact the DSEA, who shall review and revise the IEP as necessary, subject to the cooperation of the correctional facility where the eligible adult is located. The eligible adult must consent to the receipt of such services in order to receive said services while incarcerated.

The DSEA shall provide MCOE staff with instructional materials that will provide FAPE.

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Should MCOE cease to provide educational services at the County Jail, the Advisory Steering Committee would reconvene to review this policy and make changes as appropriate. The following special education requirements do not apply to eligible individuals who are convicted as adults under State law and incarcerated in adult prisons:

1. The requirements set out in 20 U.S.C. 1412(a)(16) and 20 U.S.C. 1414(d)(1)(A)(i)(VI) (relating to participation in general assessments) do not apply. Eligible individuals convicted as adults under State law and incarcerated in adult prisons are exempted from participation in State and district-wide assessment programs under the IDEA
2. The requirements of items (aa) and (bb) of 20 U.S.C. 1414(d)(1)(A)(i)(VIII) (relating to transition planning and transition services), do not apply with respect to such individuals whose eligibility under the IDEA will end, because of their age, before such individuals will be released from prison.
3. In an individual with a disability is convicted as an adult under state law and incarcerated in an adult prison, the individual's IEP Team may modify the individual's IEP or placement notwithstanding the least restrictive environment ("LRE") requirements of the 20 U.S.C. 1412(a)(5)(A) and the IEP contents requirements of 20 U.S.C. 1414(d)(1)(A) if there is a bona fide security or compelling penological interest that cannot otherwise be accommodated.