

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 Mid-Cities Special Education Local Plan Area (SELPA) is a multi-district SELPA comprised of Bellflower Unified School District, Lynwood Unified School District, and Paramount Unified School District who joined together to provide for the coordinated delivery of programs and services to students with special needs who reside in the area. The Mid-Cities SELPA is located in Los Angeles County and it covers 18.5 square miles, serving the communities of Lynwood, Bellflower, Paramount, and small sections of Cerritos, Lakewood, South Gate, Compton, East Compton, Long Beach. The Bellflower Unified School District is designated as the Administrative Unit (AU) as referred to in Education Code 56205(a) (12) (D) (ii), also known as the Responsible Local Agency (RLA) for the SELPA as referred in Education Code 56030.

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 administrative organization for the Mid-Cities Local Plan for Special Education, hereinafter referred to as the Local Plan, incorporates the management staff from all participating LEAs into a framework that provides direct supervision over all programs and the necessary coordination of regionalized services. The respective governing boards, superintendents, and administrators of special education all provide appropriate support to the implementation of the Local Plan within their LEA.

The governance structure of the SELPA is established by agreement among the Superintendents of the member LEAs. The governing body of the Mid-Cities SELPA is the Superintendents' Council. The LEA governing boards appoint their Superintendent as their designee for the approval and review of all policies, procedures, programs, and fiscal decisions in the implementation of the SELPA Local Plan. The Superintendents' Council, as the governance council, provides support to the SELPA Director and is the decision-making entity for the Local Plan. The SELPA Director may convene additional advisory committees as

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needed.

In adopting the Local Plan, each participating LEA agrees to carry out the duties and responsibilities assigned to it within the Local Plan. Each LEA shall provide special education and services to all eligible students within its boundaries, including students attending charter schools where an LEA of the SELPA has granted that charter. In addition, each LEA shall cooperate to the maximum extent possible with other member LEAs to serve students with disabilities who cannot be served in the LEA of residence. Such cooperation ensures that a range of program options is available throughout the Mid-Cities SELPA. Participating agencies may enter into additional contractual arrangements to meet the requirements of applicable federal and state law.

Changes or amendments to the permanent portion of the Local Plan, which excludes Appendices only, may be considered by the Superintendents' Council. The Superintendents' Council may adopt amendments to the permanent portion of the Local Plan on an interim basis, which is not to exceed one school year. Amendments approved in this manner shall become permanent upon subsequent approval by all local education agencies governing boards and the State Board of Education.

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)]

The Superintendents' Council is the policy making body and is responsible to the governing boards of their respective LEAs.

The Superintendents' Council is composed of the Superintendents from each of the LEAs within the SELPA. Superintendents may participate via telephone or video conferencing, pursuant to the provisions of the Brown Act, if unable to attend a meeting. All Superintendents' Council members have one vote and decisions will be made by a majority vote, except in circumstances where state or federal mandates require a unanimous vote. A quorum shall consist of two members in attendance. The AU Superintendent shall serve as chairperson. The SELPA Director serves as Secretary to the Superintendents' Council. The SELPA Director will prepare each agenda, with consultation from the chairperson, and all required materials.

The Superintendents' Council shall meet a minimum of six times per year. All meetings of the Council shall be noticed and conducted in compliance with the Brown Act and other applicable laws. Meeting notices shall be sent to all Mid-Cities SELPA Superintendents and others as requested. 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 Superintendents' Council at a regularly scheduled meeting.

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The Superintendents of each participating LEA, or chief official in the case of a charter school approved as a LEA by the Superintendents' Council, shall be responsible for special education programs operated by the LEA and for implementing all requirements of the Local Plan. A charter school that operates as its own LEA for special education purposes shall participate in the governance of the SELPA in the same manner as all LEAs.

Superintendents' Council responsibilities shall include, but not limited to:

1. Recruit, select, supervise, and evaluate the SELPA Director.
2. Take action on any appointment of, or material changes to the staff members of the SELPA, including the SELPA Director.
3. Provide leadership to the SELPA regarding the development, revision, implementation, and review of the Local Plan.
4. Take action to approve or deny Annual Budget and Service Plans at a public hearing scheduled at a Superintendents' Council meeting in compliance with all legal mandates.
5. Take action to approve or deny SELPA-wide policies, administrative regulations, procedures, resolutions, local inter-agency agreements, and guidelines for the management and implementation of special education programs and services within the SELPA. Each member shall assume responsibility for communication and presentation to their respective governing boards of the adopted policies and procedures.
6. Provide direction and approval of SELPA budgets and SELPA provided services.
7. Provide direction to the SELPA Director for regionalized and program specialist services.
8. Review, approve and monitor the allocation of federal, state, and local funds to LEAs.
9. Approve revisions to the Funding Allocation Plan as required.
10. Take action to approve or deny requests for program transfers.
11. Establish and promote a Community Advisory Committee (CAC); review and consider comments from the CAC.

The fundamental role of the SELPA Director is to direct all SELPA staff, as well as provide leadership and facilitate the decision making process. The SELPA Director's role includes the provision of information, specific services identified by the Superintendents' Council, technical assistance, leadership, and arbitration. It is the SELPA Director's responsibility to represent the interests of the SELPA as a whole without promoting any particular LEA interest over the interest of any other agencies. In the event there are differences of opinions and/or positions on issues, it is the SELPA Director's responsibility to mediate a reasonable resolution of the issue(s).

The SELPA Director is subject to the AU/RLA policies and procedures for day-to-day operations, but receives direction from, and is responsible to, the Superintendents' Council. It is understood that this includes responsibility for any allegations of violations arising under the federal and state equal employment law. The SELPA Director is evaluated by all Superintendents from the Superintendents' Council.

The SELPA Director carries out the SELPA's obligation to assure equal access to all programs and services in the SELPA and provides advice to members of the public, including parents or guardians of individuals with exceptional needs who are receiving services under the Local Plan, on the availability of established due process and legal service options and procedures. In

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cooperation with the California Department of Education (CDE), the SELPA Director provides information to ensure that all pupils in special education receive appropriate due process and procedural safeguards as provided by law.

The SELPA Director's responsibilities include, but are not limited to:

1. Designate and/or serve as an ad hoc member of the CAC.
2. Establish and maintain a positive relationship with all members of the SELPA; ensure all students have access to a full continuum of educational programs.
3. Coordinate implementation of all components of the Local Plan.
4. Develop, update, and submit adopted annual budget and service plans that have been presented at a SELPA public hearing.
5. Oversee the recruitment, supervision, and evaluation of SELPA designated staff.
6. Gather input from LEA program and business staff to formulate policy and procedure recommendations for Superintendents' Council action related to:
the distribution of state and federal funds among the LEAs, special education program needs, policies, procedures, agreements, and forms; and the development and implementation of personnel development programs.
7. Provide LEA program staff with a venue for sharing ideas regarding issues such as IEP development and implementation, student performance targets, assessments, instructional best practices, day-to-day operations, and procedural safeguards.
8. Ensure appropriate use of federal, state, and local funds allocated for special education.
9. Prepare program and fiscal reports required by the LEAs, SELPA, and CDE, manage the CALPADS or other required data system to comply with all Federal and State requirements through cooperative and collaborative efforts by member LEAs.
10. Provide technical assistance and consultation to LEAs and parents in all areas of special education, including complaint and due process procedures.
11. Adopt and implement a management information system.
12. Attend meetings of the SELPA Administrator of California Meetings, Superintendents' Council, and the Greater Los Angeles Area SELPAs (GLAAS) and other SELPA Committees.
13. Provide technical assistance to the LEAs with non-public schools and agencies, including distribution of the Master Contract.
14. Inform the Superintendents of the status of the special education programs.
15. Inform the Superintendents of significant special education updates from the local, state, and federal level.
16. Serve as Secretary to the Superintendents' Council.
17. Conduct annual private school meetings.

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

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needs.

CAC members shall be appointed by LEA governing boards for a two year term in accordance with the CAC Bylaws. Selection of members of the CAC will be the responsibility of each administrator of special education acting for the local board, and with its approval. The SELPA Director or designee serves as an ex-officio member of the CAC and acts as the liaison between the CAC and the Superintendents' Council.

CAC responsibilities include:

1. Advise the Superintendents' Council regarding the development, implementation, and the review of the Local Plan. The SELPA governance council shall review and consider comments from CAC.
2. Carry out educational trainings for all parents based on the results of a needs assessment and/or requests from CAC membership.
3. Assist in parent education and in recruiting parents and other volunteers who may contribute to the implementation of the plan.
4. Encourage community involvement in the development and review of the Local Plan.
5. Support activities on behalf of individuals with exceptional needs through involvement community wide projects as determined by the CAC board.
6. Assist in parent awareness of the importance of regular school attendance.

The CAC shall have regularly scheduled meetings not less than two times per year. All meetings of the CAC shall be held according to federal and state law. All announcements of CAC meetings and activities will be posted by the member LEAs and on the SELPA website.

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 Mid-Cities SELPA shall submit the Local Plan to the Superintendent of the Los Angeles County Office of Education for approval. If the County Superintendent does not approve the plan, the County Office shall return the plan with comments and recommendations to the LEAs. The LEAs participating in the plan may appeal the decision to the Superintendent of Public Instruction. The Los Angeles County Office of Education may provide services to students with disabilities and support LEAs, as requested.

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.

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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 CAC acts as an advisory body to the policy and administrative entity in the development, amendment, and review of the Local Plan. The Local Plan for special education shall be updated cooperatively by a committee by of representatives of special and general education teachers and administrators selected by the groups they represent and with participation by parent members of the CAC, or parents.

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)]

To ensure adequate and effective communication, the Local Plan is developed and updated cooperatively by a committee of representatives of administrators, special and general education teachers, and parents. The parents will be members of the CAC or selected by the CAC. The SELPA Director or designee will serve as committee chairperson.

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 Bellflower Unified School District is designated as the Administrative Unit (AU) also known as the Responsible Local Agency (RLA) for the Mid-Cities SELPA. It shall be responsible for implementing the following functions:

- 1) Receipt and Distribution of special education funds to district accounts for the operation of special education programs and services, pursuant to state and federal laws.
- 2) Administrative support, including establishing and maintaining an office for SELPA staff.
- 3) Serve as the employing agency for SELPA office staff to coordinate implementation of the Local Plan.

Each LEA will defend and indemnify the AU/RLA against, and will hold and save AU/RLA, its officers, agents, and employees harmless from any and all actions, claims, damages to persons or property, penalties, obligations, or liabilities that may be asserted or claimed by

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any person, firm, entity, corporation, political subdivisions, or any other organization arising out of the operation or maintenance or other activities of the LEA or its agents, employees, or independent contractors under this agreement.

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)]

SELPA policies, procedures, and local agreements necessary to support the implementation of the Local Plan, and as required by legal mandates, have been developed and are available upon request. Interagency agreements and/or memorandums of understanding necessary to support the implementation of the Local Plan, and as required by legal mandates, have been developed with the Regional Center and TASK Family Empowerment Center, other Interagency Agreements and/or memorandums of understanding will be developed as needed. Copies of these documents can be requested through the SELPA office.

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 governance structure of the SELPA is established by agreement among the Superintendents of the member LEAs. The governing board of each LEA shall approve participation in the Mid-Cities SELPA Local Plan for Special Education. LEA Governing Boards shall:

1. Exercise authority over, assume responsibility for, and be fiscally accountable for special education programs operated by the LEA.
2. Participate in the governance of the Mid-Cities SELPA through their designated representative to the Superintendents' Council. The Governing Boards provide the designated Superintendents' Council member with the authority to act as the Board designee to approve and amend policies as necessary.
3. By approving the Local Plan, enter into an Agreement for Participation with other LEAs participating in the plan, for purpose of delivery of regionalized services and programs.
4. Review and approve revisions of the Mid-Cities SELPA Local Plan.
5. Adoption of policies and procedures for special education programs and services within their LEA .

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- 6. LEA compliance with all elements of the Local Plan.
- 7. Approval of CAC representatives.

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 Superintendent of each LEA is responsible to their respective Governing Board. Each Superintendent shall:

- 1. Serve as a member of the Superintendents' Council.
- 2. Assist in the identification of special education program and service needs for the SELPA through participation in the Superintendents' Council.
- 3. Communicate SELPA information to their Governing Board.

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)]

The LEAs within the Mid-Cities SELPA are responsible for the coordination of special education services and programs within their agencies and for the implementation of the local plan within their LEAs.

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 AU/RLA shall be responsible for the selection, direction, monitoring, discipline, and annual evaluation of the SELPA Director. The Superintendents' Council shall make the final selection of a candidate for the position of SELPA Director. The SELPA Director shall be an employee of the AU. The SELPA Director is evaluated by the Superintendents' Council. The SELPA Director carries out the SELPA's obligation to assure equal access to all programs and services in the SELPA and provides advice to members of the public, including parents or guardians of individuals with exceptional needs who are receiving services under the Local Plan, on the availability of established due process and legal service options and procedures, as well as represents the interests of the SELPA as a whole without promoting any particular local education agency's interest over any other agency.

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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)]

Based on Education Code 56205(a) (12) (D)(ii), 56205 (b)(1) and 56195.7 (h), all federal and state special education funds shall be allocated to the SELPA for distribution to LEAs according to an approved Special Education Funding Allocation Plan (FAP). The Superintendents' Council shall make any changes to the allocation of federal and state special education funds. The SELPA Director is responsible to ensure that the funds are distributed in accordance with the FAP. The Superintendents' Council has been designated the authority to determine the distribution of all federal and state special education funds in order for LEA to carry out their responsibilities. The SELPA Director is responsible to ensure that the funds are distributed in accordance with the FAP including, but not limited to receipt and distribution of any funds for the operation of special education programs to appropriate accounts and receipt and distribution of special education funds to accounts exclusively designated for SELPA use.

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

The SELPA provides a full continuum of services to students with disabilities, including students in charter schools as well as alternative education, throughout the geographic region of the SELPA. A student shall be referred for special education instruction and services only after the resources of the general education program have been considered and where appropriate, utilized. Access to services is through each of the LEAs. The referral, assessment, and IEP process is utilized to identify the needs of each individual student with disabilities. The LEAs have committed to policies and procedures to assure that students will have their rights to appropriate supplemental aids and services provided in the least restrictive environment.

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

It is the intent of the SELPA that the needs of students with disabilities as identified in the IEP shall be met. Funds allocated for special education programs shall be used for services to students with disabilities. Federal funds under Part B of IDEA may be used for the following activities:

- 1) For the costs of special education and related services, supplementary aids, and services.
- 2) Services provided in a general education setting or other education-related setting to a child with a disability in accordance with the IEP for the child, even if one or more children without disabilities benefit from these services.
- 3) To develop and implement a fully integrated and coordinated services system. The SELPA

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Director and the AU/RLA shall be responsible to monitor on an annual basis the appropriate use of all funds allocated for special education programs. The Superintendents' Council through the Annual Budget Plan process shall make the final determination and take action regarding the appropriate use of special education funds.

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 Mid-Cities SELPA provides a full continuum of services to students ages 0-22 with disabilities, including students in charter schools as well as alternative education, throughout the geographic region of the SELPA. A student shall be referred for special education only after the resources of the general education program have been considered and where appropriate, utilized. Access to services is through each of the LEAs where the referral, assessment, and IEP process is utilized to identify the needs of each individual student with disabilities. LEAs have committed to policies and procedures to assure that students will have their right to appropriate supplemental aids and services provided in the least restrictive environment. Specialized equipment and services will be distributed in such a manner that maximizes a pupil's opportunity to be educated in the least restrictive environment (EC 56206). The SELPA and individual LEAs will ensure that specialized equipment is accessible to students and in alignment with federal and state law.

Low Incidence funds may be used for all pupils with low incidence disabilities as defined in law (hearing impairments, visual impairments, severe orthopedic impairments or any combination thereof) where an IEP team has determined the pupil meets eligibility requirements for a low incidence disability and the specialized equipment and/or services are recommended in the student's IEP. The SELPA Funding Allocation Plan outlines the distribution of the low incidence funds. The LEA is responsible for providing a student with disabilities who requires the use of an assistive technology device, as noted in their IEP, with continued access to that device, or to a comparable device, when the student, because of enrollment in another LEA, ceases to be enrolled in that LEA. This responsibility is in force until alternative arrangements for providing the student with continuous access to the assistive technology device, or to a comparable device, can be made or until two months have elapsed from the date that the student ceased to be enrolled in that LEA, whichever occurs first (EC 56040.3).

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,

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provide the SELPA policy and procedure numbers (If applicable. Leave blank if not applicable); 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:

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Document Location:

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

Yes No

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

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disabilities from the general educational environment, occurs only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily." The policy is adopted by the SELPA as stated:

Yes No

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

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Document Location:

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

Yes No

9. Part C to Part B Transition: 20 USC Section 1412(a)(9); 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:

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Yes No

11. Local Compliance Assurances: 20 USC Section 1412(a)(11); EC 56205(a)(11)

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

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

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

Yes No

14. Personnel Qualifications; 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

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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 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

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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:

"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:

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Document Title:

Document Location:

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

Yes No

22. Over-identification and Disproportionality: 20 USC Section 1412(a)(24); EC 56205(a)(21)

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

23. Prohibition on Mandatory Medicine: 20 USC Section 1412(a)(25); 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

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Pursuant to *EC* sections 56195.7(c), 56205(a)(12)(B), 56368, and 56836.23, describe the regionalized operation and service functions. Descriptions must include an explanation of the 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:	<input type="text" value="MC-2 Operations & Services"/>
Document Location:	<input type="text" value="16703 South Clark , Bellflower CA 90706 Bldg. C"/>
Description:	<p>(1) Role of RLA/AU: The Mid Cities SELPA office is designated as the entity responsible for the administration of the Local Plan and assuring that the SELPA is in compliance with all applicable laws and regulations. The Bellflower Unified School District is the RLA/AU for the Mid Cities SELPA.</p> <p>(2) Role of SELPA Administrator: The SELPA Director shall serve on behalf of the member local education agencies and implement the Local Plan. The Mid Cities SELPA office is designated as the entity responsible for the administration of the Local Plan and assuring that the SELPA is in compliance with all applicable laws and regulations. The SELPA Director, with input from the Special Education Directors, will make recommendations to the Superintendents' Council when revisions are needed. The SELPA Director will facilitate the development and approval of SELPA policies and procedures necessary to implement the Local Plan.</p> <p>(3) Role of Individual LEAs: Each member LEA is responsible to ensure a full continuum of services are available in order to provide a free and appropriate public education to all students with disabilities for whom they are responsible. The individual LEAs shall approve any policies and procedures needed to implement the local plan.</p>

2. Coordinated system of identification and assessment:

Document Title:	<input type="text" value="MC-2 Operations & Services"/>
Document Location:	<input type="text" value="16703 South Clark , Bellflower CA 90706 Bldg. C"/>
	<input type="text" value="(1) Role of the RLA/AU: The role of the RLA/AU, related to the"/>

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Description:

coordinated system of identification and assessment, is the same as the role of each LEA.

(2) Role of SELPA Administrator: The SELPA Director will ensure each LEA conducts Child Find activities by ensuring policies and procedures are in place for the identification, intervention and referral for initial assessment. Each LEA is responsible for identifying and assessing all students for whom they are responsible, including and not limited to students with disabilities, students experiencing homelessness, students who are wards of the state and or parentally placed private school students. The SELPA provides technical support to LEAs and guidance to parents as needed. The SELPA also ensures appropriate interagency agreements are in place.

(3) Role of Individual LEAs: Each LEA is responsible for identifying and assessing all students for whom they are responsible including developing a system of support and referral for assessment.

3. Coordinated system of procedural safeguards:

Document Title:

Document Location:

Description:

(1) Role of the RLA/AU: The role of the RLA/AU, related to the coordinated system of procedural safeguards, is the same as the role of each LEA.

(2) Role of SELPA Administrator: The SELPA Director will provide technical guidance to its member LEAs regarding procedural safeguards. The SELPA will ensure procedural safeguards are in place, provide technical guidance on forms, and procedures in the areas of assessment, identification, and placement, and post procedural safeguards, on SELPA web page.

(3) Role of Individual LEAs: Individual LEAs provide procedural safeguards to parents consistent with the education code, assist parents with understanding them, and ensure that they are implemented. The LEAs assist parents with filing complaints with the Office of Administrative Hearings when requested.

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

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Document Title:	<input type="text" value="MC-2 Operations & Services"/>
Document Location:	<input type="text" value="16703 South Clark , Bellflower CA 90706 Bldg. C"/>
Description:	<p>(1) Role of RLA/AU: The role of the RLA/AU, related to the coordinated system of staff development and parent and guardian education, is the same as the role of each LEA.</p> <p>(2) Role of SELPA Administrator: On an annual basis, the SELPA Director will collect input from the Superintendents' Council (SC), Special Education Directors, and Community Advisory Committee (CAC) to determine the staff development needs that the SELPA is requested to provide.</p> <p>(3) Role of Individual LEAs: LEAs determine their staff development and parent/guardian educational needs, based on their locally identified requirements. LEAs will seek assistance and staff development from the SELPA when needed.</p>

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

Document Title:	<input type="text" value="MC-2 Operations & Services"/>
Document Location:	<input type="text" value="16703 South Clark , Bellflower CA 90706 Bldg. C"/>
Description:	<p>(1) Role of RLA/AU: The role of the RLA/AU, related to the coordinated system of curriculum development and alignment with the core curriculum, is the same as the role of each LEA.</p> <p>(2) Role of SELPA Administrator: The SELPA Director will provide technical assistance and professional development as requested or determined for member LEAs to meet the unique needs of students with disabilities and their access to the general education curriculum.</p> <p>(3) Role of Individual LEAs: Individual LEA determine their needs for curriculum development and alignment with the core curriculum, based on their local needs. The LEAs will seek technical assistance and professional development from the SELPA when needed, particularly regarding evidence based practices for teachers and related service providers.</p>

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

Document Title:

Document Location:

Description:

(1) Role of RLA/AU: The role of the RLA/AU related to the coordinated system of internal program review, evaluation of the effectiveness of the local plan, and implementation of the local plan accountability system, is the same as the role of each LEA.

(2) Role of SELPA Administrator: The SELPA Director will review Annual Performance Reports, California School Dashboard, and other data sources with LEA Administrators. The SELPA Director will prepare the Annual Budget Plan which is reviewed by the Superintendents' Council, Community Advisory Council (CAC), and other interested community/educational groups. The SELPA Director will prepare the Annual Service Plan which is reviewed by Superintendents Council, CAC, and other interested community/educational groups. The SELPA Director will facilitate the Superintendents' Council review and approval of the Funding Allocation Plan to ensure appropriate distribution of funds.

(3) Role of Individual LEAs: Individual LEAs will 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 also engage in monitoring activities as required by the California Department of Education (CDE).

7. Coordinated system of data collection and management:

Document Title:

Document Location:

(1) Role of RLA/AU: The role of the RLA/AU related to the coordinated system of data collection and management, is the same as the role of each LEA.

(2) Role of SELPA Administrator: The SELPA Director will review and certify the California Longitudinal Assessment and Pupil Data System

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Description:

8. Coordination of interagency agreements:

Document Title:

Document Location:

Description:

9. Coordination of services to medical facilities:

Document Title:

Document Location:

Description:

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special education and related services to students with disabilities residing in hospitals and other residential facilities located within the geographical area of the LEA.

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

Document Title:

Document Location:

Description:

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

Document Title:

Document Location:

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Description:

area reports, is the same as the role of each LEA.

(2) Role of SELPA Administrator: The SELPA Director will ensure timely transmission of required reports and provide technical assistance to member LEAs in completing said reports.

(3) Role of Individual LEAs: Each LEA will submit the required data in order for the SELPA to submit timely reports.

12. Fiscal and logistical support of the CAC:

Document Title:

Document Location:

Description:

(1) Role of RLA/AU: The role of the RLA/AU, related to the fiscal and logistical support of the CAC, is the same as the role of each LEA.

(2) Role of SELPA Administrator: The SELPA Director will (a) provide fiscal and logistical support of the CAC meetings, events, and trainings that are approved by the Superintendents' Council; (b) provide logistical support to the CAC, and (c) ensure the local plan is reviewed by the CAC.

(3) Role of Individual LEAs: Each LEA has voting members who are appointed to the CAC by the LEA local governing boards.

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

Document Title:

Document Location:

Description:

(1) Role of the RLA/AU: The responsibility for coordination of transportation services for individuals with exceptional needs is not the responsibility of the RLA/AU. If the RLA/AU provides transportation, it is unrelated to the role of that LEA as the RLA/AU.

(2) Role of the SELPA Administrator: The SELPA Director will provide technical assistance if requested with the coordination of transportation services for individuals with exceptional needs. However, each LEA is responsible for providing the transportation of their students as determined by the IEP Team.

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(3) Role of Individual LEAs: Each LEA will ensure that appropriate transportation services are provided for students with disabilities as specified in their individualized education program.

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

Document Title:

Document Location:

Description:

(1) Role of RLA/AU: The role of the RLA/AU related to the coordination of career and vocational education and transition services is the same as the role of each LEA.

(2) Role of SELPA Administrator: The SELPA Director will provide professional development as required to support the transition needs of its member LEAs if requested. The SELPA Director will monitor the implementation of supports and services through the Annual Performance Plan Indicators.

(3) Role of Individual LEAs: Each LEA will ensure that supports and services are in place for students and will monitor annually the implementation of supports and services by reviewing the Annual Performance Plan Indicators.

15. Assurance of full educational opportunity:

Document Title:

Document Location:

Description:

(1) Role of RLA/AU: The role of the RLA/AU, related to the assurance of full educational opportunity, is the same as the role of each LEA.

(2) Role of SELPA Administrator: Through approval of the Annual Service Plan, the SELPA Director will ensure the full continuum of service options. The Superintendents' Council will determine the regionalized programs needed to meet the needs of the students with disabilities within the SELPA. The SELPA Director will assist with inter-SELPA transfers as needed. Professional development and technical support will be available upon request or as determined to be needed to ensure full educational opportunity.

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(3) Role of Individual LEAs: (a) monitor student's IEP to ensure that all services documented are provided, without delay, and at no cost to the parent; (b) regularly review and monitor special education data to ensure services and annual and triennial IEPs are implemented and reviewed per mandated time frames, and (c) through the IEP process, review the special education services provided to students to ensure adequate yearly progress is occurring.

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.

Document Title:

Document Location:

Description:

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

Document Title:

Document Location:

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Description:

The SELPA and member LEAs identify the importance of program specialists who provide unique and necessary services to students with disabilities. However, at this time, the SELPA does not employ any program specialists.

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:

Document Location:

Description:

The Mid-Cities SELPA member districts provide services for identified children from birth to 3 years of age with solely low incidence (visual, hearing, or orthopedic impairments) disabilities, providing service coordination and special education and related services. The LEAs will make timely referrals to the Regional Center for potentially eligible infants and toddlers with additional needs. The Mid-Cities SELPA is committed to providing procedural safeguards to families of infants and toddlers with disabilities as mandated by state and federal law.

The SELPA will ensure interagency agreements are in place as required by the California Education Code and provide technical assistance and dispute resolution as needed to ensure a multidisciplinary approach takes place when assessing children from birth through five years of age in areas of suspected disability.

Referrals for students ages 3, 4, and 5 who are not in transitional kindergarten or kindergarten are made to the child's school district of residence. Referrals for assessments may be received from parents, pediatricians, social workers, or other community members. Parents will receive either an assessment plan or prior written notice within 15 days of the referral. If an Assessment Plan is signed by the parent/guardian, the assessment will be completed within 60 days of receipt by the LEA.

Preschool Special Education services are provided to students with IEPs in various ways according to LEA procedures. Trans-disciplinary teams share their expertise, working with parents to address the needs of the children. LEAs may offer individual and small group instruction in special day class settings. LEAs may collaborate to provide regionalized preschool services and/or programs within SELPA or neighboring

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SELPA's. Some three through five-year-old preschoolers with disabilities are enrolled in state preschool programs or Head Start as part of their IEP and receive special education and related services to support progress in that setting. If the special education services available within the entities are not appropriate, then the district may contract with an appropriate NPS service provider for the implementation of the pupil's IEP.

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:

Description:

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another agency or the SELPA office, the local education agency has a responsibility to discuss and attempt resolution of the disagreement with the party, or parties directly involved. The party's involved will present the issues to their respective superintendents or designees who will attempt to resolve the matter. Either party may request direct assistance of SELPA Director, or Chairperson of the Superintendents' Council. In the event that issues have not been resolved, either party may request a review by the Finance Committee. If this process fails, the parties may pursue a hearing on the issues and resolution with the Superintendents' Council. The decision of the Superintendents' Council shall be final.

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:

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:

Description:

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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:

Document Location:

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, 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*)

Eligible Adults

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 exceptional needs and had an Individualized Education

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Description:

Program (IEP) under the IDEA, are also entitled to a FAPE (hereinafter "eligible adults".) (See 20 U.S.C. 1400 (d)(1)(A), (B), (C); 20 U.S.C 1412 (a)(1)(A); Cal. Educ. Code, 5600056026(c)(4).) This applies to adults incarcerated in California adult jails and prisons. However, an individual, aged 18 through 21 years, who, in the educational placement prior to his or her incarceration in an adult correctional facility was not identified as an individual with exceptional needs or did not have an IEP under IDEA, is not entitled to a FAPE. (20 U.S.C. 1412(a)(1)(B); Cal. Educ. Code 56040(b).)

District of Residence

For an eligible adult who, prior to reaching the age of majority, resided with the Mid-Cities SELPA's geographic boundaries, the applicable local educational agency within the SELPA shall ensure the adult student has a FAPE available. If the parent relocates to a new district of residence, the new district of residence shall become the responsible local educational agency ("LEA"). If the student is conserved, the residence of his or her conservator shall control. (Cal. Educ. Code, 56041)

Child Find

The SELPA shall actively and systematically seek out all eligible adults residing within its boundaries. The LEAs within the SELPA shall ensure that eligible students are identified and provided a FAPE.

Individualized Education Program

Once the LEA is informed that one of its residents is an eligible adult incarcerated at an adult correctional facility, the LEA will review and revise the individual's IEP as necessary, including conducting an annual review, as needed, subject to the cooperation of the correctional facility where the student is located. The LEA will determine whether the qualified individual wishes to receive a FAPE and is so will ensure that FAPE is provided pursuant to the IDEA and California Education Code. To receive special education services while incarcerated, a qualified individual must consent to the receipt of such services.

Limitations

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

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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 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. If 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 20 U.S.C. 1412 (a)(5)(A) and the IEP content 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.

The federal regulations (34 CFR 300.102(a)(2)(ii)) identify two exceptions to the above:

- a. Individuals who had been identified as eligible for special education and had received services in accordance with an IEP, but who left school prior to incarceration.
- b. Individuals who did not have an IEP in their last educational setting, but who had been identified as eligible for special education

Reference: 20 U.S.C 1414(d)(7); 34 C.F.R. 300.102, 300.324(d); Cal. Educ. Code 56040-56041; Cal. Gov. Code, 7579 (d); Letter to Yudien, 39 IDELR 270, 103 LRP 37913 (OSEP 2003), Education Code Section 56040(b), 20 U.S.C section 1412(a)(1)(B)(ii). 34 C.F.R. section 300.102(a)(2)).