

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



California Department of Education
Special Education Division

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*]

Lake County SELPA covers the geographic area of Lake County, located in the north central portion of the state. It is approximately 1,322 square miles and is bordered by Napa, Sonoma, Mendocino, Glenn, Colusa, and Yolo counties.

Lake County SELPA is made up of six local education agencies and the Lake County Office of Education.

The following are Lake County SELPA agencies:

- Kelseyville Unified School District
- Konocti Unified School District
- Lake County Office of Education
- Lakeport Unified School District
- Lucerne Elementary School District
- Middletown Unified School District
- Upper Lake Unified School District

- 2. Describe the SELPA regional governance and administrative structure of the local plan. Clearly define the roles and structure of a multi-LEA governing body, or single LEA administration as applicable: [*EC 56195.1(b)(1)-(3)(c); EC 56205(a)(12)*]

The Lake County Special Education Local Plan Area (SELPA) is a multi-district SELPA, comprised of six Local Education Agencies (LEAs) and the Lake County Office of Education (LCOE) within the geographic area of Lake County. Together these education agencies have

joined in a cooperative plan to provide special education services for individuals with disabilities, birth through age 21, who are enrolled in LEAs in Lake County. The Lake County Office of Education is designated as the Administrative Unit (AU) for Lake County SELPA.

The Superintendents' Governance Council oversees the activities of the SELPA by developing fiscal and operational policies, procedures and agreements on matters regarding implementation, administration and coordination of special education programs in accordance with state and federal requirements. The Superintendent of each participating LEA shall be responsible for special education programs operated by their respective LEA and for implementing all duties and responsibilities of the Local Plan, ensuring compliance under EC 56205(a)(12)(A)(D)(ii)(IV).

Under the direction of the Superintendents' Governance Council, the SELPA Executive Director coordinates the development and implementation of the Local Plan. The SELPA Executive Director is a non-voting member of the Superintendents' Governance Council whom provides administrative support by preparing agendas, support documents and reports for each council meeting.

The Community Advisory Committee (CAC) is composed of volunteer parent representatives of students with disabilities enrolled in a participating LEA. Representatives are appointed by LEA governing boards to participate in an advisory capacity to their LEA's Superintendent regarding provision of services, annual priorities, Local Plan development and approval, parent education and support, and other related special education activities. The active participation of each committee member meets the mandate of informed parent-community involvement between those who provide special education programs and services and those who receive special education services as, EC Article 7 [56190-56194].

The responsibilities of the Lake County Superintendents' Governance Council include:

1. Act as the decision-making body for the SELPA.
2. Direct the allocation and utilization of special education funding through the adoption of the annual budget and service plan provided by the SELPA in accordance with the Local Plan.
3. Review special education issues and recommend effective solutions to the Governance Council Advisory Committee and/or the LEA's governing board, to ensure individuals with disabilities have access to a free and appropriate public education including procedural safeguards for such individuals and their parents/guardians.
4. Provide leadership in the development of both professional goals for the SELPA Executive Director and department goals for the SELPA.
5. Provide leadership in the development of policy and procedures, goals, priorities, and plans for the comprehensive and systematic provision of special education programs and services

and recommend their adoption by the LEA's governing board.

- 6. Approve the provision of special education support services and the implementation of necessary agreements to be provided by the SELPA.
- 7. Direct that data related to special education services be gathered, interpreted and reported to facilitate the monitoring of compliance and continuum of special education services in accordance with the Local Plan.
- 8. Adopt guidelines for the implementation of special education programs and services available through the Local Plan.

The Lake County Office of Education is designated as the Administrative Unit (AU) for the Lake County SELPA. It shall be responsible for, but not limited to, the following functions:

- 1. Provide fiscal services and support to the SELPA for the preparation of budgets, distribution of funding and related reporting.
- 2. Recruitment and employment of staff to support SELPA functions.
- 3. Provide space to house the SELPA staff and operations.

The SELPA Executive Director within the guidance of the Superintendents' Governance Council is responsible to plan, direct, manage and oversee the activities, operations, and implementation of the Lake County SELPA. The Lake County SELPA shall be responsible for:

- 1. Conducting annual and triennial review of SELPA policy and procedures, and the Local Plan.
- 2. Facilitate collaboration and maintain agreements between the SELPA and the LEAs, Administrative Unit (AU), and community resources.
- 3. Provide reports, information and recommendations to the Superintendents' Governance Council and the advisory committees.

- 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)]

In adopting the Local Plan, each participating local education agency (LEA) agrees to carry out the duties and responsibilities assigned to it within the Local Plan. Each LEA shall provide special education programs and services to all eligible students within its boundaries, including

students enrolled in charter schools where an LEA of the SELPA has granted that charter. In addition, each LEA shall cooperate to the maximum extent possible to serve individuals with disabilities who cannot be served in programs in the LEA of the residence. Such cooperation ensures that a range of program options is available through Lake County, EC 56205(a)(12)(ii)(III).

Suggestions leading to the development of policy statements and/or changes in existing policy may originate at any level within the governance structure of the Lake County SELPA or from the Community Advisory Committee in its capacity.

Policy considerations are to be dealt with according to the following procedure:

1. All suggestions and/or requests for policy development or change are to be directed to the Governance Council Advisory Committee, passing through any intermediate review steps, as dictated by the governance structure.
2. The Superintendents' Governance Council will consider all such requests.
3. If the Superintendents' Governance Council determines such a policy is desirable or needed, the council will have a draft of such policy written.
4. The Superintendents' Governance Council shall consist of the superintendent of each of the participating LEA, each of whom shall provide a liaison function between the LEA governing board and the Council. LEA Superintendents exercise their authority and responsibilities in accordance with policies and procedures of their local governing boards and within the voting procedures of the Superintendents' Governance Council, EC 56205(a)(12)(D)(i).

A. Public Participation

The Local Plan shall be developed and updated cooperatively by a committee representing the general and special education teachers and administrators, representatives from the CAC and charter school(s). Meetings will be planned in a manner that allows members to consult routinely with the groups they represent and provide input on the development of and revisions to the Local Plan, EC 56205(a)(18) & EC 56205(a)(12)(E).

The ongoing exchange of information with the public, general and special education teachers and administrators, the CAC and charter school personnel occurs through regularly scheduled meetings of the Superintendents' Governance Council, CAC and the Local Plan Committee. Meetings of the Superintendents' Governance Council and CAC are public meetings and a chance for public input is provided on all agendas, EC 56205(a)(12)(E)(18)(b)(4).

B. Permanent and Interim Amendments to the Local Plan

Changes or amendments to the permanent portion of the Local Plan may be considered during the annual service and budget plan revision process. The Lake County SELPA may adopt amendments to the Section B portion of the Local Plan on an interim basis, not to exceed one

year. Amendments approved according to the adopted policy setting process become permanent upon approval by the State Board of Education. This policy is then included in the governance section of the Local Plan.

C. The Governance Council Advisory Committee (GCAC)

The Superintendents' Governance Council has one standing committee - the Governance Council Advisory Committee (GCAC). The role of the GCAC is to serve as an advisory body to the SELPA Executive Director and Superintendents' Governance Council. The functions of the GCAC include:

1. Recommending the development or revision of policies and procedures for the effective operation and coordination of special education programs and services throughout the SELPA.
2. Recommending county-wide regional programs as needed to the Superintendents' Governance Council for consideration.
3. Developing implementation strategies for the provision and coordination of special education programs and services in accordance with state and federal regulations and SELPA policies.
4. Considering and seeking solutions to challenges encountered in meeting state and federal requirements and in carrying out SELPA policies.
5. Advising the SELPA Executive Director and the Superintendents' Governance Council of the status, accomplishments and needs of the special education programs maintained by the participating LEA's and county-wide regional programs.
6. Providing input and feedback regarding the SELPA professional development offered.

The Governance Council Advisory Committee (GCAC) is appointed by the Superintendents' Governance Council and is composed of the special education director, or other designee, of each participating education agency. The SELPA Executive Director serves as chairperson of the GCAC and is responsible for preparing agendas, scheduling and conducting meetings and preparing support documents, as appropriate, for each meeting.

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 Lake County Office of Education is designated as the Administrative Unit (AU) for the Lake County SELPA. It shall be responsible for, but not limited to, the following functions:

1. Provide fiscal services and support to the SELPA for the preparation of budgets, distribution

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of funding and related reporting.

- 2. Recruitment and employment of staff to support SELPA functions.
- 3. Provide space to house the SELPA staff and operations.

The specific duties and responsibilities of the County Superintendent of Schools necessary for carrying out that responsibility include:

- 1. Representing the LEA as a member of the Superintendents' Governance Council and carrying out the functions of the Superintendents' Governance Council as described in the Local Plan.
- 2. Providing leadership within the County Office of Education in support of special education programs and services.
- 3. Collecting information on the County Office of Education special education program operation and reporting such information to the SELPA Executive Director.
- 4. Supporting and cooperating in SELPA regional activities, such as:
 - a) Personnel development
 - b) Coordination of curriculum
 - c) State and federal reporting
 - d) Program evaluation
 - e) Student management information systems
- 5. Consulting with the SELPA Executive Director before taking action which may lead to violation of due process, a complaint or a major programmatic change affecting the SELPA.
- 6. Implementing and monitoring actions directed by administrative hearing officers or compliance officers.

EC 56205(a)(12)(D)(i) & EC 56205(a)(12)(D)(ii)(III)

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

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

This policy applies to all charter schools that are chartered by any of the Lake County SELPA member districts or the Lake County Office of Education (LCOE) or are granted a charter on appeal by the Lake County Board of Education or the State Board of Education in which oversight responsibilities have been assigned to a district within the SELPA. This policy does not extend to a charter school that was chartered by, or assigned to, an entity that is not a member of the Lake County SELPA.

The purpose of this policy is to clarify the relationship between charter schools, member school agencies and the SELPA. This policy has the further purpose of assisting applicable charter schools and chartering districts that are members of this SELPA with their individual and mutual responsibilities under the law. In addition, this policy has the purpose of assisting applicable charter schools and chartering agencies to meet the special education needs of all eligible students enrolled in applicable charter schools.

Pursuant to legal provisions of both federal and state law, eligible students enrolled in charter schools are entitled to special education services provided in the same manner as such services are provided in other public schools and charter schools within the SELPA. All parties shall comply with all applicable requirements of state and federal law regarding provision of special education services (Education Code 5600 et seq., Individuals with Disabilities Education Act 20 U.S.C. Chapter 33). It is understood that a charter school shall not discriminate against any pupil in its admission criteria on the basis of disability. Funding for special education services, participation in the governance structure and responsibility for provision of services shall be based on the following:

- 1) whether the charter school is approved as an LEA or is deemed to be a public school within the LEA that granted the charter, and
- 2) the agreement (MOU) between the charter school and sponsoring LEA.

Charter schools and sponsoring districts must delineate in the charter or in a memorandum of understanding (MOU) the entity responsible for providing special education instruction and services. These documents should clarify the roles and responsibilities of each party with regard to IEP meetings, authorization of services, implementation of due process rights and legal representation. These documents must also reference any anticipated transfer of special education funds between the granting entity and the charter school, if any, and any provisions for sharing costs, deficits and/or proration factors in funding.

The charter school recognizes the responsibility to deliver services to any eligible child enrolled in the charter school and shall not seek assistance, reimbursement, or any other type of responsibility from the school district where the child actually resides unless otherwise provided by law.

The charter school also acknowledge that, in the absence of SELPA approval of the charter school as an LEA for special education purposes, the charter school will be deemed a public

school within the chartering entity.

SELPA Involvement with Approval and Renewal of Charters

Prior to approval of a new charter school, or renewal of an existing charter school, the charter school petitioner(s) are required to consult with both the superintendent or designee of the chartering entity and the SELPA Executive Director to ensure awareness of district and SELPA guidelines and timelines as they relate to special education. Specifically, the charter MOU must provide assurances that all eligible students enrolled in the charter school will receive appropriate special education services in accordance with federal law and the SELPA Local Plan for Special Education (Local Plan).

Enrollment - The charter shall provide that no student otherwise eligible to enroll in the charter school will be denied nor discouraged from enrollment due to a disability or due to the charter school's concerns about its ability to provide appropriate services. The charter school shall fully inform parents of students with disabilities seeking enrollment in the school of their rights, educational options available, and the category of charter school to which it belongs. A district reviewing the petition for the establishment or renewal of a charter school may not refuse to grant the petition solely because the charter school might enroll students with disabilities who reside in a SELPA other than the one in which the district is a member.

Within the requirements of Education Code Section 47605, the charter must contain a reasonably comprehensive description of the charter school's educational program, as it relates to the provision of special education services, including the following:

- *Assurances that the charter school will comply with all provisions of federal law and implementing regulations related to the rights of disabled students and their parents (20 U.S. C. Chapter 33, the Individuals with Disabilities Education Act);
- *Assurances that the charter school will adhere to the policies, procedures and requirements of the SELPA Local Plan for Special Education;
- *A description of the means by which the charter school intends to serve students with disabilities. This will include a specific reference as to whether the charter school intends to be deemed an LEA or public school within the LEA that granted the charter for the provision of special education services;
- * The procedures for ensuring that students are referred, assessed and served in a timely manner;
- * Assurances that staff members providing special education services are appropriately credentialed;
- * Assurances that the facility used by the charter school does not present physical barriers that would limit an eligible an eligible student's full participation in the educational and extracurricular program;
- *Assurances that the charter school will follow all federal laws regarding discipline and change of placement of special education students; and
- * Dispute resolution procedures that will apply to any disputes between educational entities, including the SELPA, regarding the provision of special education services in

the charter school.

It is recognized that specific detail about procedures and delivery systems may be set forth in a MOU between the charter school and the chartering entity rather than the charter itself. However, the SELPA encourages the parties to confirm the details prior to approval or extension of the charter.

1) The charter school is deemed a public school when first granted a charter and cannot be deemed an LEA in this SELPA until the charter school has complied with all procedures outlined in this policy.

2 Petitioner must confirm in writing that they will not discriminate due to disability.

3 Affirms charter school responsibilities under Section 504 of the Rehabilitation Act of 1973 (34 CFR 104) hereinafter "504"

Categories of Charter Schools

For the purposes of provision of special education services only, charter schools shall be deemed either a public school within the chartering district or separate LEA that receives special education funds and provides services independent of the chartering entity. It is understood that this status is separate and apart from the actual legal status of the charter school as provided in Education Code section §47604. All approved charter schools will be deemed public schools within the chartering entity until the charter school has been deemed an LEA following this policy. The categorization as a separate LEA will become effective on the first day of the fiscal year (July 1), following final approval by the SELPA Superintendents' Governance Council.

Public School Within a School District or LCOE

As set forth in the Education Code, charter schools that are deemed to be public schools within the chartering entity will participate in state and federal funding in the same manner as other schools or programs within the chartering entity. The chartering entity will be responsible for ensuring that all children with disabilities enrolled in the charter school receive special education and designated instruction and services in a manner that is consistent with all applicable provisions of SELPA policies and federal law. The chartering entity and the charter school petitioner must clarify by way of the charter or a Memorandum of Understanding the responsibilities of each party for the actual delivery of special education services including referral, assessment and funding. The chartering entity and the charter school will determine the policies and procedures necessary to ensure that the protections of special education law extend to students in the charter school in the same manner as students enrolled in other schools or programs administered by the chartering entity.

The chartering entity will:

- * Receive all applicable special education funds as specified in the SELPA's Special Education

Funding Allocation Plan.

* Represent the needs of the charter school in the SELPA governance structure.

The Charter or Memorandum of Understanding will clarify the following:

- * Procedures and designation of responsibilities for ensuring that all eligible students enrolled in the charter school are appropriately referred, assessed and served in a timely manner;
- * Procedures and responsibilities for procuring and funding appropriate special education services for enrolled students; and
- * Procedures and responsibilities for procuring necessary special education services or contracts for services with public or private educational agencies.
- * Responsibility for costs of services, which exceed funding.
- * Responsibility, if any, for excess costs of chartering entity.
- * Responsibility for costs related to legal fees and due process proceedings.
- * Designation of administrative costs related to the above.

It is also recommended that a Memorandum of Understanding or Business Services Agreement address the following items:

- * If the district will assume responsibility for the direct provision of special education services for students with disabilities attending the charter school,
- * A description of what services will be provided, who will provide the services, and how and where the services will be provided.
- * An assurance that a student with disabilities attending the charter school will have access to special education services in the same manner as a student with a disability who attends another public school of that district.
- * An assurance that the charter school and its employees will work under the direction of the district with regard to the delivery of services.

An agreement which clarifies what responsibility either party has to defend, indemnify, and hold harmless the other party and its employees against any liability arising from the acts or omissions of the charter school and/or districts, its agents or employees while performing services under the MOU and charter.

Charter School as an LEA Within the SELPA

A charter school that was chartered by or assigned to a SELPA member district may apply to the SELPA Superintendents' Governance Council to become an LEA for the provision of special education services. Application must be made to the SELPA on or before February 1st of the school year preceding the school year in which the charter school anticipates operating as an LEA within the SELPA. LEA status will not become effective prior to July 1st of the year in which final approval was granted. The charter school must follow the application process adopted by the Superintendents' Governance Council. Once granted LEA status, a charter school will participate in the governance of the SELPA in the same manner as all other LEAs in the SELPA. The applicant charter school will be deemed an LEA if the SELPA Superintendents'

Governance Council determines that the charter school has met all requirements to be included as a member LEA of the SELPA as specified in this policy and the Local Plan.

These requirements include that the LEA shall:

- * Provide assurances that all eligible individuals with disabilities (ages birth to 21) shall have access to appropriate special education programs and services;
- * Provide assurances of its knowledge and understanding of applicable special education laws;
- * Provide assurances that each certificated employee is appropriately credentialed to serve in his/her assignment;
- * Provide necessary staff as required to meet federal mandates;
- * Follow all requirements of the SELPA Local Plan;
- * Utilize SELPA approved forms and SEIS pupil count system;
- * Provide transportation as indicated on the student's IEP; and
- * Provide assurances that the charter school understands its sole legal and financial responsibility to provide appropriate services to eligible students and that the charter school shall not seek defense or indemnification from the SELPA or SELPA members unless liability is the result of acts or omissions of other agencies, their agents or employees, while performing services under an agreement.

Once deemed an LEA, the charter school shall:

- * Participate in governance of the SELPA in the same manner as all other LEAs the SELPA.
- * Contribute to, participate in, and receive the benefits of reimbursement from all SELPA fiscal pools and participate in any charge-backs, if any, in the same manner as other members.
- * Receive state and federal funding for special education in accordance with the SELPA Special Education Funding Allocation Plan.
- * Be responsible for all costs incurred in the provision of special education services to students enrolled in the charter school. These costs may include, but are not limited to, instruction, related services, transportation, nonpublic school/ agency placements, inter/intra SELPA placements, due process proceedings, complaints and attorney fees; and
- * Document that all state and federal special education funds apportioned to the charter school are used for the sole purpose of providing special education instruction and/or services to identified students with disabilities.

If any new school district or charter school applies as an independent member of the SELPA and its percentage of special education students to total population is significantly lower than any of the SELPA-member LEAs, then the SELPA and Charter School shall enter into an MOU, approved by the Policy Council, outlining the funding as a condition of becoming an LEA in the SELPA.

LEA status may be initially granted for a period of up to five years congruent with the terms of the district and charter school agreement and may be granted one or more renewals by the Superintendents' Governance Council. Each renewal shall be for a period of five years.

LEA status may be revoked by the Superintendents' Governance Council if it finds that the charter school did any of the following:

- * Committed a material violation of any of the conditions, standards, or procedures set forth in this policy or the Local Plan.
- * Failed to meet generally accepted accounting principles, or engaged in fiscal mismanagement of special education funds.
- * Violated any provision of law applicable to the charter school relating to special education.

The Superintendents' Governance Council shall examine the pattern of conduct by the charter school in implementing special education laws. The decision to revoke may be based on the ability of the charter school to cure and correct violations and/or the charter school's ability to ensure ongoing, consistent compliance with all applicable special education laws.

Prior to revocation, the Superintendents' Governance Council shall notify the charter school of any violation of this policy and give the charter school a reasonable opportunity to correct the violation, unless the Superintendents' Governance Council determines, in writing, that the violation constitutes a severe and imminent threat to the health or safety of the pupils.

Charter School Affiliated With an LEA Outside of the SELPA

When a charter school has no affiliation with an LEA within the SELPA, neither the SELPA nor the local district within which the charter school is located has an obligation to reach agreement on the provision of special education services. If the charter school is granted status by an entity outside of the SELPA, the charter school is responsible for working with its sponsoring district and related SELPA in order to meet all special education obligations as provided in the SELPA policy.

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 Local Plan shall be developed and updated cooperatively by a committee representing the general and special education teachers and administrators, representatives from the Community Advisory Committee (CAC) and charter school(s). Meetings will be planned in a manner that allows members to consult routinely with the groups they represent and provide input on the development of and revisions to the Local Plan, EC 56205(a)(18) & EC 56205(a)

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(12)(E).

The ongoing exchange of information with the public, general and special education teachers and administrators, the CAC and charter school personnel occurs through regularly scheduled meetings of the Superintendents' Governance Council, CAC and the Local Plan Committee. Meetings of the Superintendents' Governance Council and CAC are public meetings and a chance for public input is provided on all agendas, EC 56205(a)(12)(E)(18)(b)(4).

The Community Advisory Committee (CAC) is composed of volunteer parent representatives of students with disabilities enrolled in a participating LEA. Representatives are appointed by LEA governing boards to participate in an advisory capacity to their LEA's Superintendent regarding provision of services, annual priorities, Local Plan development and approval, parent education and support, and other related special education activities. The active participation of each committee member meets the mandate of informed parent-community involvement between those who provide special education programs and services and those who receive special education services as, EC Article 7 [56190-56194].

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 shall be developed and updated cooperatively by a committee representing the general and special education teachers and administrators, representatives from the Community Advisory Committee (CAC) and charter school(s). Meetings will be planned in a manner that allows members to consult routinely with the groups they represent and provide input on the development of and revisions to the Local Plan, EC 56205(a)(18) & EC 56205(a)(12)(E).

The SELPA Executive Director will meet with this committee a minimum of three times annually during required periods of review to allow for multiple readings and an opportunity to provide input regarding the content of the Local Plan prior to submission to the CAC for review and the Lake County SELPA Governance Council for approval prior to submission to California Department of Education (CDE), in alignment with EC 56195.3.

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 Lake County Office of Education is designated as the Administrative Unit (AU) for the Lake County SELPA. It shall be responsible for, but not limited to, the following functions:

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1. Provide fiscal services and support to the SELPA for the preparation of budgets, distribution of funding and related reporting.
2. Recruitment and employment of staff to support SELPA functions.
3. Provide space to house the SELPA staff and operations.

The SELPA Executive Director, within the guidance of the Superintendents' Governance Council, is responsible to plan, direct, manage and oversee the activities, operations, and implementation of the Lake County SELPA. The Lake County SELPA shall be responsible for:

1. Conducting annual and triennial review of SELPA policy and procedures, and the Local Plan.
2. Facilitate collaboration and maintain agreements between the SELPA and the LEAs, Administrative Unit (AU), and community resources.
3. Provide reports, information and recommendations to the Superintendents' Governance Council and the advisory committees.

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)]

Contractual agreements and/or Memorandums of Understanding (MOUs) between the Lake County SELPA and any LEA, Non-Public Agency (NPA) or other service agency may be developed as appropriate to ensure each student with disabilities is offered the services they are eligible to receive. The Lake County SELPA will determine the need for such agreements or MOUs based on current funding allocation plans and following policy on such matters as identified in the Local Plan and as outlined in the Lake County SELPA Policy & Procedures.

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 Governing Board of each LEA and the County Office of Education will have the responsibility to operate those programs which have been assigned through the annual budget and service plan developed for the Special Education Local Plan Area (SELPA), maintain an awareness of the special education activities of the Local Plan through the LEA Superintendent and participate in the development and implementation of policy decisions as provided for in the

Local Plan.

Each participating County Office of Education (COE) and Local Education Area (LEA) governing board shall:

- 1) Appoint a representative to the Superintendents' Governance Council and the Community Advisory Committee (CAC).
- 2) Understand as the LEA or COE governing board's designated representative of the Superintendents' Governance Council and CAC, LEA Superintendents exercise their authority and responsibilities in accordance with policies and procedures of their local governing boards. Within the procedures of the Superintendents' Governance Council, each representative provides the liaison function in passing through any intermediate review steps, as dictated by the governance structure to request or approve policy and procedures of the SELPA.

The LEA governing boards agree that they shall participate in the operation of the SELPA for the purposes of ensuring provision of programs and services. The Superintendents' Council facilitates this responsibility. Each superintendent, or administrative designee, participates in the Governance Council meetings as representatives of their district, LEA or COE.

There are seven voting member LEA Superintendents (or alternate representative as described in section 10.b.) that make up the Lake County SELPA Superintendents' Governance Council, including one from the county office of education, seven from the school districts.

- 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 participating LEA is responsible for assuring the provision of appropriate special education programs and services for students with disabilities for whom the district is responsible in accordance with the policies, agreements and procedures established by the governing board and those described in the Local Plan.

The responsibilities of the LEA and COE Superintendents include:

- 1) Representing the LEA as a member of the Superintendents' Governance Council and carrying out those responsibilities as described in the Local Plan.
- 2) Acting as a liaison between the LEA governing board and the Superintendents' Governance Council to advise the governing board of policies revised and/or adopted by Local Plan.
- 3) Recommending to the governing board the development and adoption of local policies for special education programs and services.
- 4) Recommending to the governing board any revisions of special education programs and services which are necessary to meet the changing needs of the district and which should be

considered in the Local Plan.

- 5) Providing leadership within the district in support of special education programs and services as agreed upon in the Local Plan.
- 6) Direct the development and maintenance of fiscal accounting records and information compatible with procedures established by the Local Plan in a manner that facilitates an audit or review by a certified public accountant, the State Department of Education (CDE) or the Superintendents' Governance Council.
- 7) Collect information on the LEA's special education program operation and report such information to the SELPA Executive Director as required for the maintenance of the Local Plan.
- 8) Supporting and cooperating in SELPA regional activities outlined in the Local Plan, such as:
 - a) Personnel development
 - b) Coordination of curriculum
 - c) State and Federal reporting
 - d) Program evaluation
 - e) Student management information systems
- 9) Designating and directing the activities of the LEA's director/coordinator of special education.
- 10) Consulting with the SELPA Executive Director before taking action which may lead to violation of due process, a complaint or a major programmatic change affecting the SELPA.
- 11) Implementing and monitoring actions directed by administrative hearing or compliance officers.

EC 56205(a)(12)(D)(i)

GOVERNANCE COUNCIL ALTERNATE MEMBER PARTICIPATION

Superintendents have the option of designating a temporary alternate representative, from their LEA when unable themselves to attend a meeting of the Superintendents' Governance Council. The SELPA Executive Director or SELPA Administrative Assistant must be notified in advance of the meeting of the name of the representative designated by the Superintendent who will attend to act as the LEA agent in their absence.

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)]

In adopting the Local Plan, each participating Local Education Agency (LEA) and County Office of Education (COE) agrees to ensure compliance with the Local Plan and to carry out the duties and responsibilities assigned to it in the Local Plan. This may include, but is not limited to:

- 1) Provide special education services to all eligible students within its boundaries, including students enrolled in charter schools where an LEA of the SELPA Superintendents' Governance Council has granted that charter.
- 2) Cooperate to the maximum extent possible with the Lake County Superintendent of Schools and the other participating LEAs to assure the availability of appropriate services to eligible students with disabilities regardless of district of residence, in alignment with Lake County SELPA Policy and Procedure guide. Such cooperation ensures that a range of program options are available throughout Lake County.
- 3) Maintain contractual agreements and/or Memorandums of Understanding for services provided by any service providers outside of the district's employ, other LEAs, COEs and the SELPA as appropriate.
- 4) Participate through a designated representative in the Superintendents Governance Council, Governance Council Advisory Committee, Community Advisory Committee and the Local Plan Committee.
- 5) Provide suitable housing for special education programs maintained by the LEA.

EC 56205(a)(12)(ii)(III).

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 Lake County Office of Education (Lake County SELPA Administrative Unit) serves as the employing agency for the SELPA Executive Director and the SELPA office staff in accordance with personnel policies of the Lake County Office of Education and procedures developed by the Superintendents' Governance Council which enables the SELPA Office to operate as a separate department within the structure of the County Office.

The participating Local Education Agencies (LEAs) of the Lake County SELPA, through their representative to the Superintendents' Governance Council, cooperates with the COE in the

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hiring and evaluation of the SELPA Executive Director. This includes:

- 1) Participating in the review of applicants and, through an appointed member, the interviews of potential candidates.
- 2) Provides a recommendation of preferred candidates to the County Superintendent of Schools for the appointment of the SELPA Executive Director.
- 3) Provides evaluation criteria and goals for the SELPA Executive Director.
- 4) Provides, at minimum, an annual evaluation based on the criteria and goals of the SELPA Executive Director to the County Superintendent of Schools.
- 5) Recommends and directs the SELPA Executive Director's activities in support of the Local plan and the provision of regionalized services.

The SELPA Executive Director within the guidance of the Superintendents' Governance Council is responsible to plan, direct, manage and oversee the activities, operations, and implementation of the Lake County SELPA. The Lake County SELPA shall be responsible for:

- 1. Conducting annual and triennial review of SELPA policy and procedures, and the Local Plan.
- 2. Facilitate collaboration and maintain agreements between the SELPA and the LEAs, Administrative Unit (AU), and community resources.
- 3. Provide reports, information and recommendations to the Superintendents' Governance Council and the advisory committees.

The participating LEAs and COE of the Lake County SELPA, through their representative to the Superintendents' Governance Council, approve the annual budget and staffing for the SELPA. Through a designated representative they can participate with the SELPA Executive Director in the selection of the SELPA staff. The AU shall employ a sufficient number of staff to meet the needs of the Lake County SELPA as approved by the Superintendents' Governance Council. Such personnel will be employed in accordance with the personnel and employment practices of the AU and, for the purposes of supervision and evaluation, be assigned to the SELPA Executive Director. Specific assignments and responsibilities of SELPA staff shall be made by the SELPA Executive Director.

- 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)]

As the SELPA Administrative Unit (AU) the County Superintendent of Schools shall be named

as the Grantee for all Federal and State special education funds.

The Superintendents' Governance Council has been designated as the authority to determine the distribution of all Federal and State special education funds in order for all participating LEAs to carry out their responsibilities. Any changes to the allocation of Federal and State special education funds shall be made by the Superintendents' Governance Council.

The SELPA in coordination with the Administrative Unit (AU) shall be responsible for the distribution of funds according to the Special Education Funding Allocation Plan and the SELPA Local Plan Annual Budget Plan as approved by the Superintendents' Governance Council and in alignment with the AU policies and procedures for such transactions. The SELPA Executive Director is responsible to ensure that the funds are distributed according to the approved allocation plan.

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

The governing board and superintendent of each participating LEA and COE is responsible for the operation of special education programs within their districts in accordance with state and federal laws and regulations, the Local Plan, and the SELPA's policies and procedures.

The SELPA assists and supports all participating LEAs, including charter schools where a LEA of the SELPA Superintendents' Governance Council has granted that charter, in the operation of special education programs in accordance with state and federal laws and regulations, the Local Plan and the SELPA's policies and procedures.

The Governance Council Advisory Committee (GCAC) shall identify on a regular basis any challenges in meeting the needs for students within the SELPA and communicate those challenges to the SELPA Executive Director in a timely manner. With the assistance of the SELPA Executive Director, the GCAC will identify potential resources within the SELPA which could provide the appropriate services. When services are required beyond the programs and services being provided by an LEA or within the SELPA, the GCAC shall develop a plan to meet those needs for consideration by the Superintendents' Governance Council.

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

Funds (Federal, State and Local) allocated for special education programs shall be used for services for students with disabilities in accordance with federal and state regulations.

All participating LEAs and COE, their governing board and superintendent acknowledge and agree that federal funds under Part B of IDEA are subject to the supplement not supplant statute and shall be used and reported accordingly.

Federal funds under Part B of IDEA may be used for the following activities:

1) The cost of special education and related services including supplementary aids and services provided in a regular class or other education-related setting to a child with a disability in accordance with the IEP for the student, even if one or more non-disabled children benefit from these services.

2) To develop and implement a fully integrated and coordinated services system.

All participating LEAs and COE, their governing board, and superintendent are responsible for the appropriate use, tracking and reporting of federal, state and local funds allocated to their district for special education programs.

The SELPA provides support and guidance to all participating LEAs and COE for appropriate use of federal, state and local funds allocated for special education programs. This may include, but is not limited to:

1) Training on the SELPA policies and procedures as approved by the Superintendents' Governance Council.

2) Review of fund requirements, purposes and use.

3) Provide timely updates on reporting deadlines and expiration dates for funds.

4) Provide timely updates on funding allocations and adjustments.

5) Conducting program and fiscal audits at the SELPA and LEA level to address program needs, review allocation of funding, cost effectiveness, quality and accountability of special education programs.

As required by the granting entity the SELPA will prepare and submit plans and reports to the granting entity for any funds retained by the SELPA in accordance with the Special Education Allocation Plan. The SELPA will also prepare and submit plans and reports to the granting entity on behalf of the participating LEAs and COE for any funds granted to the SELPA and distributed to the LEAs and COE according to the Special Education Allocation Plan. The participating LEAs and COE agree to provide accurate and timely data as required by the SELPA to complete this work.

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]

Low Incidence services and equipment will be available to all students who require it within the least restrictive environment.

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These include:

- 1) Specially designed instruction related to the unique needs of student with a low incidence disability.
- 2) Specialized services related to the unique needs of students with a low incidence disability will be provided by a qualified professional such as an interpreter, note-taker, reader, transcriber, related service provider, and/or other professionals who provide specialized materials and equipment.
- 3) SELPA shall maintain a Low Incidence Team to review all referrals for evaluation and purchase of low incidence materials and equipment, as outlined in the Lake County SELPA Policy and Procedures Manual.

In addition, the Lake County SELPA will maintain an extensive resource library of literature, curriculum samples, assessment kits and equipment/materials available for use by professionals and families. Lake County SELPA staff will ensure proper training of materials and equipment as necessary, and will monitor the programming of low incidence providers and services.

Low Incidence funds shall be maintained at the SELPA specifically for the purchase of materials and equipment, along with the maintenance of staffing contracts.

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); 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:

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"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:

"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)**

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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 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

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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 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:

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"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:

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

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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

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

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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 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:

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

Yes No

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

"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:

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Document Location:

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

Yes No

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

"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:

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"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:

Role of the Program Specialist(s):

Program specialist support services may be available to individuals with exceptional needs, their families, and district staff upon LEA request.
Program Specialist/Coordinator personnel requirements:

- holds a valid education specialist credential, services credential or license, health services credential, or a school psychologist authorization
- has advanced training and related experience in the education of individuals with exceptional needs and has a specialized in-depth knowledge in one or more areas of major disabilities, preschool disabilities, or career vocational development.

Role of the RLA/AU:

The Administrative Unit (AU) for the Lake County SELPA will be responsible for functions such as, but not limited to:

1. Provide fiscal services and support to the SELPA for the preparation of budgets, distribution of funding and related reporting.



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Description:

2. Recruitment and employment of staff to support SELPA functions.

3. Provide space to house the SELPA staff and operations.

Role of the SELPA Executive Director:

The SELPA Executive Director, within the guidance of the Superintendents' Governance Council, is responsible to plan, direct, manage and oversee the activities, operations, and implementation of the Lake County SELPA. The Lake County SELPA shall be responsible for:

1. Conducting annual and triennial review of SELPA policy and procedures, and the Local Plan.

2. Facilitate collaboration and maintain agreements between the SELPA and the LEAs, Administrative Unit (AU), and community resources.

3. Provide reports, information and recommendations to the Superintendents' Governance Council and the advisory committees.

Responsibilities of the SELPA Director - E.C. 56205 (D) (ii)

Role of the individual LEAs:

Each local education agency is responsible for the participation and implementation in this Local Plan for special education, as described in this Local Plan. It's support and recommendations are essential to effective implementation and operation of the Local Plan. 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. Each voting member LEA will approve any policies and procedures needed to implement the local plan.



2. Coordinated system of identification and assessment:

Document Title:

Document Location:

Role of the Program Specialist(s):

Program Specialist may observe, consult with, and assist member LEA education specialists and related service providers with the referral, identification, and assessment process.

Role of the RLA/AU:

The Administrative Unit (AU) for the Lake County SELPA is the Lake County Office of Education. The role related to the coordinated system of identification and assessment is the same as the role of each LEA. The AU will support child find awareness activities through the Lake County Office of Education website, and other informational activities and community events.

Role of SELPA Executive Director:

The role of the SELPA Executive Director is to ensure each LEA conducts Child Find activities. The SELPA will provide technical support to the LEAs and guidance to parents, as needed. The SELPA will also participate in Child Find activities by establishing policies and procedures for the member LEAs and ensuring appropriate inter-agency agreements are in place.

Role of the individual LEA's:

Each LEA will assure an ongoing effort to identify all individuals with disabilities including children for whom English is not a primary language, students with low incidence disabilities, students attending private schools, highly mobile children, children that are homeless or wards of the State, and children who are suspected of having a disability and in need of special education even though they are advancing from grade to grade.

Description:

Child Find Law

The Individuals with Disabilities Education Improvement Act (IDEA) (20 U.S.C. § 1400 et. seq) and California Education Code §56301 require every local educational agency (LEA) to identify, locate, and evaluate students enrolled with known or suspected disabilities to determine whether a need for special education and related services exists. LEAs/ Districts are obligated to develop and implement a plan to locate all IDEA-eligible students, including but not limited to students who are homeless or wards of the state. The process an LEA/district develops to locate and identify students with disabilities is known as Child Find.

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Child find activities are the responsibility of each district and occur prior to a referral for special education services. These activities are designed to locate individuals, birth through 21 years of age, including children not enrolled in public school programs as well as children who are homeless or wards of the state and reside in the district and may be eligible for and in need of special education and/or related services. Child find activities also foster awareness and understanding on the part of educators, parents, and other community members of the referral procedures for special education, the eligibility criteria, and the continuum of special education programs and services available. Child find activities inform educators, community agencies, and parents/guardians of their right to refer their child for a special education assessment to determine eligibility and the need for special education services.

Part C to Part B

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.

3. Coordinated system of procedural safeguards:

Document Title: Lake County SELPA Local Plan and Policy & Procedure Guide

Document Location: Lake County SELPA Office

Role of the Program Specialist(s):

The Program Specialist may provide alternate dispute resolution with districts as requested by parents. The program specialists assure procedural safeguards by providing technical assistance and guidance on forms and procedures to LEAs in the areas of assessment, identification, and placement.

Role of the RLA/AU:

The Administrative Unit (AU) for the Lake County SELPA is the Lake County Office of Education. The role related to the coordinated system of proper implementation of procedural safeguards is the same as the

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Description:

role of each LEA.

Role of the SELPA Executive Director:

The SELPA Executive Director ensures the implementation of all federal, state and local responsibilities of the SELPA including procedural safeguards.

The SELPA provides alternate dispute resolution with districts as requested by parents. The SELPA also assures procedural safeguards by providing technical assistance and guidance on forms and procedures to LEAs in the areas of assessment, identification, and placement. The SELPA provides parents with a copy of their procedural safeguards upon request and will maintain a copy on their website.

Role of the individual LEA's:

Member LEAs of the Lake County SELPA ensure that children with disabilities and their parents/guardians shall be provided with safeguards throughout the identification, evaluation, placement process, and the provision of a free appropriate public education (FAPE) to each child. They provide procedural safeguards to parents consistent with the education code, assist parents with understanding them, and ensure that they are implemented.

Confidentiality and FERPA Law

The Family Educational Rights and Privacy Act (FERPA) is a complex federal law addressing the privacy of students' educational records. This page provides a brief summary of some of FERPA's key concepts and provides links to outside resources that may provide additional information. Interpretations of the FERPA law should not be made without legal counsel.

FERPA gives parents/guardians certain rights regarding their child(ren)'s education records. These rights transfer to the student when he or she reaches the age of eighteen or attends a school beyond the high school level. Students to whom the rights have transferred are considered "eligible students."

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

Document Title:

Document Location:

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Description:

Role of the Program Specialist(s):
The Program Specialist may provide direct staff support and coaching, staff development and program development.

Role of the 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.

Role of the SELPA Executive Director:
The SELPA works cooperatively with the local community agencies to provide parent and guardian education. The SELPA collaborates with neighboring SELPAs to provide regional trainings to support ongoing professional development for special education staff throughout the county. The SELPA Executive Director will arrange for trainings and supports as requested, or determined appropriate, for each LEA as well as county wide initiatives.

Role of the individual LEAs:
Member LEAs will determine their staff development and parent and guardian education programs, based on their local needs. LEAs may request technical assistance or input from the SELPA at any time.

All processes and procedures for LEA member CAC representation and structure are documented in the Community Advisory Committee Bylaws.

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

Document Title: Lake County SELPA Local Plan and Policy & Procedure Guide

Document Location: Lake County SELPA Office

Description:

Role of the Program Specialist(s):
The Program Specialist may guide the member LEAs to curricular resources aligned to the core curriculum for students with disabilities.

Role of the 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.

Role of the SELPA Executive Director:
The SELPA Executive Director will provide technical assistance and arrange for staff development, as requested or determined appropriate.

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Role of the individual LEAs:
LEAs will determine their needs for curriculum development and alignment with the core curriculum, based on their local needs and following district procedures for curriculum adoption.

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

Document Title: Lake County SELPA Local Plan

Document Location: Lake County SELPA Office

Description:

Role of the Program Specialist(s):
The Program Specialist may assist LEAs with program review and consultation. They assist member LEAs with state monitoring activities and development of improvement plans.

Role of the 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 systems is the same as the same as the role of each LEA.

Role of the SELPA Executive Director:
-- Ensures the Superintendents' Governance Council receives annual input on the local plan from required stakeholders, including parents/guardians of the CAC, general and special education staff and administrators.
-- Reports monthly to the Superintendents' Governance Council in a public meeting, a summary of the SELPA's activities on behalf of its members.
-- Participates in monitoring activities and supports the development of LEA improvement plans (Special Education Plan) and overall implementation.

Role of the individual LEAs:
Member LEAs review and monitor Annual Performance Reports, the California School Dashboard, and other local data sources to ensure students with disabilities receive a free and appropriate public education. They engage in monitoring activities at a local level and as required by the California Department of Education.

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7. Coordinated system of data collection and management:

Document Title:	Lake County SELPA Local Plan
Document Location:	Lake County SELPA Office
Description:	<p><u>Role of the Program Specialist(s):</u> The Program Specialist may review special education data to target professional development and provide technical assistance to member LEAs.</p> <p><u>Role of the RLA/AU:</u> 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.</p> <p><u>Role of the SELPA Executive Director:</u> -- Ensures timely collection of data for state reporting. -- Provides technical assistance and training to LEAs upon request. -- Approves the state reporting data submissions of each member LEA as required by the California Department of Education.</p> <p><u>Role of the individual LEAs:</u> Member LEAs are responsible for data entry, quality and integrity. The LEAs approve the state reporting data submission as required by the California Department of Education.</p>

8. Coordination of interagency agreements:

Document Title:	Lake County SELPA Local Plan
Document Location:	Lake County SELPA Office
Description:	<p><u>Role of the Program Specialist(s):</u> Not applicable.</p> <p><u>Role of the RLA/AU:</u> The role of the RLA/AU related to the coordinated system of inter-agency agreements is the same as the role of each LEA.</p> <p><u>Role of the SELPA Executive Director:</u> -- Annually reviews inter-agency agreements. -- Renews inter-agency agreements, when applicable. -- Develops inter-agency agreements as needed.</p>

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-- Posts inter-agency agreements on the SELPA website.

Role of the individual LEAs:
Through their representative to the Superintendents' Governance Council, LEAs implement inter-agency agreements as appropriate.

9. Coordination of services to medical facilities:

Document Title: Lake County SELPA Local Plan

Document Location: Lake County SELPA Office

Description:

Role of the Program Specialist(s):
The Program Specialist may ensure member LEA students have access to a full educational opportunity regardless of the district of residence. They may provide information to member LEAs and/or to parents/guardians regarding any special education medical services provided within the Lake County SELPA region and medical therapy unit (MTU).

Role of the RLA/AU:
The role of the RLA/AU related to the coordinated system of medical facilities is the same as the role of each LEA.

Role of the SELPA Executive Director:
The SELPA will facilitate the development of agreements associated with the state and regional agencies such as the California Children Services (CCS) and local medical facilities to gain access to a medical therapy unit and the provision of IEP mandated medical related services delivered either in person or at a distance via telehealth platforms.

Role of the individual LEAs:
Each LEA shall be responsible for the provision of special education and related services to individuals with exceptional needs residing in hospitals, homes and other residential facilities located within the geographical area of the LEA. Each LEA shall first consider services operated by the LEA and next by the SELPA regionalized program providers. If the special education services available within these entities are not appropriate, then the district shall contract with an appropriate service provider for implementation of the student's IEP. These may include employees of other LEAs within the SELPA, those of a neighboring SELPA, or a Nonpublic Agency (NPA).

** A local Memorandum of Understanding (MOU) will be in place as it relates to local decision-making processes, financial responsibilities, and*

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staffing expectations in partnership with the medical treatment unit (MTU) agency.

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:

Role of the Program Specialist(s):
Not applicable.

Role of the RLA/AU:
The role of the RLA/AU related to the preparation and transmission of required special education local plan area reports is the same as the role of each LEA.

Role of the SELPA Executive Director:
The SELPA Executive Director will ensure timely transmission of required reports and provide technical assistance to member LEAs in completing the reports.

Role of the individual LEAs:
Member LEAs will maintain accurate records and submit required data to the SELPA Executive Director for timely submission of required reports.

12. Fiscal and logistical support of the CAC:

Document Title: Lake County SELPA Local Plan

Document Location: Lake County SELPA Office

Description:

Role of the Program Specialist(s):
The Program Specialist may attend Community Advisory Committee (CAC) meetings and provide resources, training and technical assistance to its members.

Role of the 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.

Role of the SELPA Executive Director:
The SELPA Executive Director will serve as the secretary to the CAC to assist in promoting community engagement in the work aligned for promoting equity and access for students with disabilities. He/she will work closely with the CAC to develop recommendations to be presented to Superintendents' Governance Council that promote the equity and access of students with disabilities within member LEAs and their communities across the SELPA region. The SELPA Executive Director will work with the Superintendents' Governance Council for the provision of any fiscal, human and logistical resources to support the work of inclusive practices which promote equity and access.

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Role of the individual LEAs:
 Member LEAs shall encourage active participation in the SELPA CAC to further support the development of strong communication between LEAs and families/guardians who have a child(ren) with disabilities. Parents/guardians who serve as voting members on the CAC, are nominated by member LEA governing boards. Allocation of fiscal and logistical support is encouraged through member LEA Local Control Accountability Plans (LCAPs). Member LEAs shall work with their CAC representatives to support the provision of inclusive practices, equity and access for all students with a mild to severe disability.

All processes for LEA member CAC representation are documented in the Community Advisory Committee Bylaws.

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

Document Title: Lake County SELPA Local Plan

Document Location: Lake County SELPA Office

Role of the Program Specialist(s):
 Not applicable.

Role of the RLA/AU:
 The role of the RLA/AU related to the coordination of transportation services for individuals with exceptional needs is the same as the role of each LEA.

Role of the SELPA Executive Director:
 The SELPA Executive Director will coordinate with LEAs to ensure a plan for transportation for all students who are eligible for special education transportation services is in place. The SELPA will ensure each LEA has a transportation policy that addresses special education services and supports.

Role of the individual LEAs:
 Member LEAs ensure that appropriate transportation services are provided for students with disabilities as specified in their IEPs. Additionally, they will coordinate the provision of transportation for students who require transportation outside of their district of residence and ensure a transportation policy is in place specific to their LEA.

Description: Special Education Transportation, California Department of Education

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(CDE)

EC Section 41851.2 (Assembly Bill 876 [Canella], Chapter 283, Statutes of 1991), required the State Superintendent of Public Instruction (SSPI) to develop special education transportation guidelines for use by individualized education program (IEP) teams that clarify when special education services are required.

EC Section 56040 states: "Every individual with exceptional needs who is eligible to receive special education instruction and related services under this part [Part 30] shall receive that instruction and those services at no cost to his or her parents or, as appropriate, to him or her." Special education transportation is defined in federal regulation [34 CFR Section 300.34(c)(16)] as a related service. Transportation is required to be provided as a related service if it is required to assist a child with a disability to benefit from special education. In addition, as required for any special education program, the service must be provided to meet the criteria for a free, appropriate public education as defined in federal regulation 34 CFR Section 300.17.

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

Document Title: Lake County SELPA Policy & Procedure Manual

Document Location: Lake County SELPA Office

Description: Role of the Program Specialist(s):
 The Program Specialist may support member LEA staff through training and reviewing referrals for students transitioning from high school to postsecondary programs.

Role of the 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.

Role of the SELPA Executive Director:
 The SELPA Executive Director oversees the WorkAbility I Program for the Lake County region. He/she serves as the project manager, coordinates the annual submission of grant required reports and services of transition services to students with an IEP located in the Lake County region. The provision of technical assistance and staff development in the area of transition services are coordinated and delivered upon request from member LEAs.

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Role of the individual LEAs:
Member LEAs will collaborate with the SELPA WorkAbility I program Employment Specialist(s) by granting access to students with an IEP during their school day. LEA administration and staff work with the Employment Specialist(s) to host program trainings, job placement preparation activities and where appropriate, college and career fairs, and any additional transition services as required under state and federal law. LEAs will be required to prepare and delivery all other transition services through a certificated education specialist or other service provider as appropriate.

15. Assurance of full educational opportunity:

Document Title: Lake County SELPA Local Plan

Document Location: Lake County SELPA Office

Role of the Program Specialist(s):
The Program Specialist may ensure students have a full educational opportunity regardless of the district of residence or district of special education accountability.

Role of the 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.

Role of the SELPA Executive Director:
The SELPA Executive Director provides assistance to SELPA staff to carry out their responsibility to ensure that all pupils have access to full educational opportunity. Through approval of the Annual Services Plan, the SELPA will ensure that the full continuum of services is available. The SELPA monitors compliance reviews and assists as requested in the development of corrective action plans. Additionally, development and technical assistance is provided to LEAs and non-public schools.

Role of the individual LEAs:
-- Monitor student IEPs to ensure that all services documented are provided, without delay, and at no cost to the parent.
-- Regularly review and monitor special education data to ensure services and annual and triennial IEPs are implemented and reviewed per mandated time frames, and
-- Through the IEP process, review the special education services provided to students to ensure adequate yearly progress is occurring.

Description:

Free Appropriate Public Education (FAPE)

All children with disabilities have a right to a free appropriate public education. Individuals with Disabilities Education Act (IDEA) is the federal law that gives these rights is the Individuals with Disabilities Education Act.

A free appropriate public education must be available to all children residing in the State between the ages of 3 and 21, inclusive, including children with disabilities who have been suspended or expelled from school, as provided for in §300.530(d)

Individual Education Program (IEP)

The IEP contains a written statement describing the child’s present educational performance; annual goals for development; specific services to be used; dates to begin and duration of those services; criteria, schedules; and procedures for evaluating whether those objectives are being met.

Individual Family Service Plan (IFSP)

An IFSP is a written plan for providing early intervention services to infants and toddlers. The IFSP is a family-focused plan that documents the following: Child's eligibility; parent concerns and priorities; health history; present levels of functioning, goals, and outcomes appropriate to the need of the child and the family; services to be provided; and any other relevant information that is required to meet the needs of the child and his or her family.

Least Restrictive Environment (LRE)

Each public agency must ensure 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 nondisabled; and
-- Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

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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: Lake County SELPA Local Plan

Document Location: Lake County SELPA Office

Description: Role of the Program Specialist(s):
Not applicable

Role of the RLA/AU:
The role of the RLA/AU, in coordination with the SELPA, is responsible for receiving and distributing local, state and federal funds to individual LEAs in accordance with the adopted SELPA Annual Budget Plan.

Role of the SELPA Executive Director:
The SELPA Executive Director works with the Administrative Unit (AU) to facilitate the distribution of funds in accordance to the funding allocation plan approved by the Superintendents' Governance Council. The SELPA Executive Director coordinates the development of the Annual Budget Plan in collaboration with the AU Fiscal Services staff and the member LEAs.

Role of the individual LEAs:
Member LEAs engage in the development and approval of both the SELPA Annual Budget Plan and SELPA allocation model for state and federal funds. Each LEA engages in timely submission of required fiscal reports to the SELPA and Administrative Unit Fiscal Services as required to ensure timely submission of all state and federal fiscal reports to CDE.

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

Document Title: Lake County SELPA Local Plan

Document Location: Lake County SELPA Office

Role of the Program Specialist(s):
A program specialist is a specialist who holds a valid special education credential, clinical services credential, health services credential, or a

school psychologist authorization and has advanced training and related experience in the education of individuals with exceptional needs and a specialized in-depth knowledge in preschool disabilities, career vocational development, or one or more areas of major disabling conditions.

The Program Specialist may do the following:

- Observe, consult with, and assist resource specialists, designated instruction and services instructors, and special class teachers.
- Plan programs, coordinate curricular resources, and evaluate effectiveness of programs for individuals with exceptional needs.
- Participate in each school's staff development, program development, and innovation of special methods and approaches.
- Provide coordination, consultation and program development primarily in one specialized area or areas of his or her expertise.
- Be responsible for assuring that pupils have full educational opportunity regardless of the district of residence.
- Provide services as directed by the Superintendents' Governance Council
- Provide staff development for staff, parents/guardians, members of CAC, volunteers, and governing boards as appropriate and will be coordinated with other staff development programs in the SELPA.
- Conduct ongoing comprehensive evaluations of special education programs as per the evaluation plan and requirements of the California Department of Education-Special Education Division (E.C. 56600, et seq.)
- Conduct ongoing review of special education programs and procedures in the SELPA, and mechanisms for correcting any identified problems. Review and procedures will be in accordance with any state level procedures, but may include local interventions starting at the most direct level of intervention, e.g., district support to the classroom teacher who needs it, or training and instruction in the identified problem area.

Role of the RLA/AU:

The role of the RLA/AU related to direct instructional program support that may be provided by program specialists is the same as the role of each LEA.

Role of the SELPA Executive Director:

- Recommends employment of, assign, supervise and evaluate SELPA staff employed by the RLA.
- Supports the development of regionalized programs by providing access to a program specialist.
- Meets with the Superintendents' Governance Council to keep them

Description:

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informed of the status of the special education programs as needed.

- Coordinates with member LEAs that operate regionalized programs and facilitate conversations regarding the status of special education programs and services within the SELPA for the Superintendents' Governance Council in the spring and prior to the start of the next school year.
- Coordinates and provides staff development and training for general and special education administrators and staff.
- Develops and disseminates forms, policies, and procedures throughout the SELPA.
- Assists in preparation, implementation, and follow-up of state reviews, including those that are part of the Compliance and Improvement Monitoring.

Role of the individual LEAs:

- Planning, directing, coordinating, and evaluating instructional programs.
- Identifying needs and developing short and long-range plans for staff development, curriculum development, and program effectiveness.
- Providing staff development and training for general and special education administrators and staff.
- Developing and disseminating forms, policies, and procedures consistent with LEA policies.
- Representing the LEA on SELPA committees as directed.
- Assuring appropriate coordination of general and special education instructional resources for students.
- Providing support to the LEA in the area of positive behavior intervention.
- Assisting in the preparation, implementation, and follow-up of reviews by the state including those that are part of the Compliance and Improvement Monitoring.

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: Lake County SELPA Local Plan

Document Location: Lake County SELPA Office

The Lake County SELPA maintains an interagency agreement with local agencies to ensure programming and family supports for children ages

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birth to five.

The Lake County SELPA maintains an interagency agreement with both the Redwood Coast Regional Center (RCRC) and Lake Family Resource Center (LFRC) for the provision of Part C: Early Intervention Services program for infants (ages 0-3) with a disability as well as for those who have an identified low incidence disability. RCRC and LFRC service coordinators work with both Individual Family Service Plan (IFSP) teams to coordinate services in the early start infant program. This programming structure, established under the federal Part C of the Individuals with Disabilities Education Act (IDEA), requires that services be provided in a coordinated manner among participating agencies and encourages families to participate with a team of professionals in the decisions affecting their child.

Services provided starting at age three years old to children as determined by the IEP team of the local education agency (LEA) to be eligible based on CCR Title 5, Section 3030. A school-based program is provided for children to promote development and growth in areas of assessed weakness. A full continuum of services is available to each child based on the developed IEP. These services include, but are not limited to, speech and language therapy, occupational and/or physical therapy, adapted physical education, health services, counseling services, orientation and mobility services and training, visual impairment services, and parent counseling. Children from bilingual homes are assessed in their primary language. Early education services for these preschool aged children may be provided to individuals or small groups. Districts within the SELPA offer a wide range of programs and services, ranging from home-based services and parent consultation to group programs and full inclusion preschools. Inclusion opportunities are provided when appropriate for those children who can benefit as determined by the IEP team. Close communication and coordination are provided with the assistance of paraeducators to assure a successful and integrated plan.

2. A description of the method by which members of the public, including parents or guardians of individuals with exceptional needs who are receiving services under the local plan, may address questions or concerns to the SELPA governing body or individual administrator:

Document Title:

Document Location:

Description:

committee representing the regular special education teachers and administrators, parents from the CAC and charter schools. Meetings will be planned in a manner that allows members to consult routinely with the groups they represent and provide input on the development of and revisions to the Local Plan, E.C. 56205(a)(20), 56205(a)(12)(E).

The ongoing exchange of information with the public, regular and special education teachers and administrators, the CAC and charter school personnel occurs through regularly scheduled meetings of the Superintendents' Governance Council Advisory Committee and CAC and the Local Plan Committee. Meetings of the Governance Council Advisory Committee and CAC are public meetings and a chance for public input is provided on all agendas. The first item on the agenda for all meetings of the Policy Council is "Public Participation and Communication". Following the second agenda item, "Approval of Agenda", is the "Report of the Community Advisory Committee (CAC)". All meetings of the Governance Council Advisory Committee begin with Public Participation and Communication and the agenda always includes a report from the CAC. All CAC meetings begin with introductions, time for public input and reports from all district representatives. In each of the above meetings, members of the public, including parents or guardians of individuals with exceptional needs, are encouraged to participate in the public input and CAC portion of the agendas. Each of these committees is provided information and consultation on the budget development process, E.C. 56205(b)(4).

The Superintendents' Governance Council, as the governing body, shall address questions and concerns of the public, including parents or guardians of individuals with exceptional needs who are receiving services under the Local Plan. Questions and concerns may be addressed at any regularly scheduled Superintendents' Governance Council public meeting during the time set aside for items of public interest.

The SELPA Executive Director, as a non-voting member of the Superintendents' Governance Council, will ensure that meetings are held following the provisions of the Brown Act. Public hearings, with adequate and proper notice are held regularly. Revisions to the Local Plan, the Annual Budget and the Annual Service Plan are presented for comment during Public Hearings. Member LEAs offer additional opportunities for public participation and input regarding special education at their local LEA governing board level.

3. A description of a dispute resolution process, including mediation and final and binding

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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: Lake County SELPA Local Plan

Document Location: Lake County SELPA Office

Description:

Dispute Resolution Disagreements among LEA's, LEA's and the Administrative Unit, LEA's and/or the Administrative Unit and the SELPA regarding the distribution of funding, responsibility for service provision and any other governance activities specified in the Local Plan will be resolved at the lowest level possible in the governance structure outlined in the Local Plan. The Superintendents' Governance Council is considered to be the board of last resort. This policy is intended to resolve disagreements within a period of 45 days, but is not intended to undermine local authority.

The Superintendents' Governance Council strongly supports principles and practices of alternative dispute resolution (ADR), when appropriate, to facilitate reaching of agreements. If an LEA disagrees with a decision or practice of another agency or the SELPA office, 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 direct assistance of the SELPA Administrator, or his/her designee, or Chair of the Superintendents' Governance Council or the services of a neutral mediator from outside the SELPA. In the event the issue has not been resolved, either party may request review by a special subcommittee appointed by the Governance Council. If either party disagrees with the recommendation of the subcommittee, either party may request that the issue be placed on the Superintendents' Governance Council agenda. The decision of the Superintendents' Governance Council shall be final, E.C. 56205(b)(5).

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: Lake County SELPA Local Plan

Document Location: Lake County SELPA Office

For those students who may need additional academic and behavioral

supports to succeed in a general education environment, schools may choose to implement a multi-tiered system of supports (MTSS) for all students, such as response to instruction/intervention, positive behavioral interventions and supports (PBIS), trauma-informed practices, and restorative practices.

MTSS is a school-wide approach that addresses the needs of all students, including struggling learners and students with disabilities, and integrates assessment and intervention within a multi-level instructional, behavioral, and social-emotional system to maximize student achievement and reduce problem behaviors and issues related to mental health. MTSS, which includes scientific, research-based interventions, also may be used to identify children suspected of having a specific learning disability.

With a multi-tiered instructional framework, schools identify students at risk for poor learning outcomes; monitor their progress; provide evidence-based interventions; and adjust the intensity and nature of those interventions depending on a student’s responsiveness. Children who do not, or minimally, respond to interventions must be referred for an evaluation to determine if they are eligible for special education and related services; and those children who simply need intense short-term interventions may continue to receive those interventions.

Following the implementation of MTSS instructional framework and concerns still remain within the local school student study team (SST), staff will contact parents/guardians whenever there is a concern about their child’s educational progress. All options in the regular program must be exhausted prior to a referral to special education per federal and state education laws.

Description:

These options may include, but are not limited to, the following:

- Referral to alternative programs within the school/district.
- Modifications of the classroom program, including alternative instructional methods and materials.
- Modification of the school program, including adjustment of school day.
- Referral to professional and/or agency outside of the school.
- Consultation with appropriate staff.

Written documentation must be included in the referral that appropriate alternatives and/or modifications have been considered. All options are to be explored by the regular education staff prior to referral through the

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student study team (SST) process. The procedure to be followed when a student is first seen as having difficulty will be the responsibility of the regular school staff. When all of the regular education options have been attempted but have not met with success, the student may be referred for special education consideration.

The procedures for student referrals may be submitted by the following persons:

- Student Study Team comprised of teachers, specialists, etc.
- Parents
- Other service providers or knowledgeable persons

A student shall be referred for special education services only after the resources of the regular education program have been explored and, where appropriate, utilized. All referrals should be submitted to the student's school of attendance.

All referrals for special education and related services shall initiate the assessment process and shall be documented. When a verbal referral is made, staff of the school district, Special Education Local Plan Area (SELPA) or county office shall offer assistance to the individual in making a request in writing and shall assist the individual if the individual requests such assistance.

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: Lake County SELPA Local Plan

Document Location: Lake County SELPA Office

On an annual basis, the Lake County SELPA will issue and review of the SELPA Master Contract for special education services provided by both non-public agency (NPAs) and non-public school (NPS) entities with member LEAs.

Non-Public Schools (NPS) & Non-Public Agencies (NPA) Monitoring Policy:

It is the responsibility of each member Local Educational Agency (LEA) of the Lake County SELPA to use the appropriate master contract for services provided by NPSs and NPAs. The SELPA will maintain updated NPS and NPA master contracts. LEAs shall complete

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Description:

Individual Services Agreement(s) based on individual student need and in accordance with master agreement
Reference: EC 56205, 56365, 56366, 56366.1-56366.12
Procedures:

Ensuring Monitoring Requirements Are Met For NPS/NPA Individualized Education (IEP)/Individualized Family Service Plan (IFSP):

Each Local Education Agency (LEA) that contracts with a NPS or NPA shall assure the evaluation of the service provision of its pupil(s) on an annual basis as part of the annual IEP/IFSP review. The LEA shall also assure the review and monitoring of the master contract, the Individual Services Agreement (ISA), and the IEP/IFSP to ensure that all services agreed upon and specified in the IEP/IFSP are provided.

Ensuring Monitoring Requirements Are Met For NPS/NPA Staffing:

Each LEA that contracts with a NPS or NPA shall assure the evaluation of staffing qualifications and staffing levels required set forth in the master contract. At least on an annual basis, as part of the renewal of the master contract process, staff qualifications will be reviewed. Review will also occur when new staff are added. The LEA shall review and document these monitoring efforts of the master contract to ensure that all services agreed upon and specified in the IEP/IFSP are provided by highly qualified staff.

Evaluating Progress of Students in NPS/NPA IEP/IFSP Service:

NPSs are required by the master contract and the IEP/IFSP to annually evaluate pupils to determine if they are making appropriate educational progress. The LEA shall review the evaluations or reports of progress completed by the NPS to ensure that they were appropriate and valid for measuring pupil progress. The NPA services have similar requirements. The LEA will maintain similar monitoring requirements.

The LEA may choose to administer additional assessments as necessary, with parent consent, to determine whether the pupil is making appropriate educational progress. In addition, an IEP/IFSP review may also be requested at any time to review student progress.

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

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Fiscal Year 2024-25

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)

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The SELPA will provide technical support to any districts identified as the DOR for students age 18-21 who are incarcerated in county jail and remain eligible for special education to assist in meeting their obligation. The SELPA may facilitate collaboration with the county jails as requested.

Free Appropriate Public Education (“FAPE”)

Every individual with exceptional needs who is eligible to receive special education instruction and related services under the Individuals with Disabilities Act (“IDEA”) and state special education laws, shall receive that instruction and those services at no cost to his or her parents or, as appropriate, to him or her. A FAPE shall be available to individuals with exceptional needs in accordance with 20 U.S.C. §1412(a)(1) and 34 C.F.R. §300.101.

Eligible Adults

Adults who are aged 18-22 years, have not graduated with a high school diploma, who, at the time they have turned 18 were identified as an individual with exceptional needs and had an individualized education 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); California Ed. Code §56000, 56026(c)(4).) This applies to adults imprisoned in California adult jails and prisons. However, an individual aged 18 through 21 years, who, in the educational placement prior to his or her imprisonment in an adult

Description:

correctional facility was not identified as an individual with an exceptional need or did not have an IEP under the IDEA, is not entitled to a FAPE. (20 U.S.C. §1412(a)(1)(B); California Ed. Code, §56040(b).)

District of Residence Responsibilities

For eligible adults who prior to reaching the age of majority resided within the Lake County Special Education Local Plan Area (“SELPA”) geographic boundaries, the applicable local educational agency within the SELPA shall ensure they have available to them a FAPE. 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 district of residence of the conservator shall attach and remain the responsible local educational agency, as long as and until the conservator relocates or a new one is appointed. At that time, the new district of residence shall attach and become the responsible local educational agency. (Added by Stats. 1992, c. 1360 (A.B. 2773), §8.)

Child Find

The Individuals with Disabilities Education Act (IDEA) requires that students who are in need of special education be identified. This “child find” responsibility extends to nontraditional settings or students such as highly mobile students. In California, local educational agencies (LEAs) must “actively and systematically” seek out all individuals with exceptional needs.

The SELPA local plan ensures their LEAs are in compliance with all state and federal laws, including child find. This responsibility includes identifying adult students in a county jail within the SELPA who remain eligible for special education services, through means such as selfreporting, interviewing, and requesting prior school records. In certain cases, the SELPA in which the county jail is located may identify an eligible adult student whose responsible LEA is located outside the SELPA. In such cases, it is recommended that the SELPA work with the sheriff and the responsible SELPA/LEA to assist the eligible adult student in contacting the responsible SELPA/LEA. This may include contacting the responsible SELPA/LEA on the eligible adult student’s behalf, and/or providing contact information for the responsible SELPA/LEA to the sheriff, and/or providing contact information for the responsible SELPA/LEA to the eligible adult student.

Individualized Education Program (IEP)

Once the LEA is informed that one of its residents is an eligible adult imprisoned at an adult correctional facility, it will 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 is provided a FAPE pursuant to IDEA and corresponding California Education Code. To receive special education services while imprisoned, a qualified individual must consent to the receipt of such services and enroll in the adult education program at the adult correctional facility.

Limitations

The following special education exemptions apply to eligible individuals who are convicted as adults under State law and imprisoned 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)9i)(VI) (relating to participation in general assessments) do not apply. Eligible individuals convicted as adults under State law and imprisoned 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 transitional 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 imprisoned 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. § 1414(d)(1) (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.