

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



California Department of Education
Special Education Division

SELPA

Fiscal Year

B. Governance and Administration

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

Participating Local Educational Agencies

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

Special Education Local Plan Area—Local Plan Requirements

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

The Special Education Local Plan Area (SELPA) includes all Local Education Agencies (LEA) within San Benito County: Aromas-San Juan Unified, Bitterwater-Tully Elementary, Cienega Union Elementary, Hollister Elementary, Jefferson Elementary, North County Joint Union Elementary, Panoche Elementary, San Benito County Office of Education (SBCOE), San Benito High, Southside Elementary, Tres Pinos Union Elementary, and Willow Grove Union Elementary.

Each of the LEAs has agreed to cooperate through the adoption and implementation of the Local Plan.

The San Benito County is located in the Coast Range Mountains of the Central Coast of California. El Camino Real passes through the county leading to more metropolitan like cities such as San Jose and San Francisco.

The San Benito County SELPA office is located at the following address/location: 460 Fifth Street, Hollister CA 95023.

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 San Benito County SELPA is a Multiple LEA SELPA.

The San Benito County SELPA is comprised of all public school districts in the county and the San Benito County Office of Education. These districts and COE have joined in a cooperative effort to provide for the coordinated delivery of programs, services and assurance of equal access to such programs, and services to eligible persons with disabilities requiring special education in the service region. Each Local Education Agency (LEA) is responsible for adopting and implementing the Local Plan as outlined. All San Benito County SELPA member LEAs, including the COE, have adopted standards that conform with special education law, policies,

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and regulations.

The governing body of the SELPA is the SELPA Governance Council which is comprised of all the Superintendents in the SELPA. In addition, the director, or representative, of a charter school approved as an LEA is expected to service on the Governing Council in the same capacity as the Superintendent of other LEA's.

The SBCOE is considered an LEA for all purposed of this agreement except where referred to as the Administrative Unit (AU). In adopting the Local Plan, each participating LEA agrees to carry out the duties and responsibilities assigned to it within the plan and to ensure equal access to programs and services to eligible persons requiring Special Education in the service region.

The Regional Governance and administrative structure of the SELPA is established by agreement of the Governing Council (GC) and among the Governing boards of the member LEA's. It consists of the Superintendent from each of the four LEA's, the Superintendent representative of the consortium of Rural School Districts (counted as one LEA), and the responsible AU Superintendent. In addition to the Governing Council, the Special Education Committee (SEC), Business Advisory Committee (BAC), and Community Advisory Committee (CAC) provide input and recommendations as appropriate. The SELPA Director may convene additional advisory committees.

The SELPA Director is responsible for Coordination for SELPA and the implementation of the Local Plan. The roles and structure are defined below. Additional information can also be found in the agreement regarding the organization, implementation, administration, and operation of the SBCOE Special Education Local Plan Area, CAC By-Laws, and the SELPA Procedural Handbook.

Governing Council (GC) Reponsibilities:

1. Adopting SELPA policies, administrative regulation, procedures, resolutions, and guidelines for the management and implementation of Special Education Programs and services within the SELPA;
2. Approving SELPA budgets and expenditures for regionalized services and SELPA Program Specialist Services;
3. Providing direction to the SELPA Director regionalized and Program Specialist Services
4. Directing that data be gathered, interpreted, and reporting regarding the implementation, administration, and operation of the Local Plan;
5. Reviewing data in order to monitor planned and actual accomplishments of Special Education Programs in the districts that comprise the Local Plan;
6. Reviewing due process and compliance complaints filed within the SELPA as appropriate;
7. Reviewing proposed policy with recommendation from the SEC;
8. Approval of Special Education Policy for adoption by local Governing boards;

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9. Review and approve amendments to the Local Plan, the SELPA Annual Service and Budget Plans;
10. Review and approve program transfers;
11. Review and approve any changes in the SELPA Allocation Plan;
12. Participate through its chairperson with the AU in the hiring, supervision, evaluation, and discipline of the SELPA Director;
13. For motions involving procedural changes, each Superintendent has one vote. For motions involving financial commitments/contributions, the voting shall be weighted according to the student enrollment percentages as of P2 average daily attendance (ADA) of the member LEA as follows from prior year of the SELPA;
14. The San Benito County Superintendent of Schools shall be designated as the Superintendent of the Responsible Local Agency (RLA). The RLA Superintendent will serve as a member of the Governing Council and will have the responsibility for the coordination and implementation of the Local Plan in accordance with approved policies and procedures.

Responsible Local Agency (RLA) Superintendent Responsibilities:

1. Serve as a member of the Governing Council;
2. Service as an employing agency for personnel who have responsibilities through the Local Plan Area. Such personnel shall include, but not be limited to the SELPA Director and Program Specialists. Employment of such personnel will be in accordance with personnel policies and practices of the SBCOE and procedural employment policies approved by the Governing Council;
3. The RLA shall employ appropriate classified personnel in support of the SELPA certificated staff. Along with the Governing Council Chairperson and other member(s), provide for the annual evaluation of the SELPA Director. Additional responsibilities include but are not limited to:
 - Receive and maintain accountability for the use of Regionalized Services funds appropriated to the SELPA;
 - Establish appropriate record keeping procedures to be followed by each LEA for purposes of maintaining accurate fiscal and accounting records in accordance with state and federal requirements and submit required reports to the appropriate authorities;
 - Provide technical support for the Management Information System (MIS) necessary to comply with the requirements of the State Department of Education and, recommend the Governing Council a plan for the sharing of regionalized services funds when LEAs are required to perform duties related to staff development, fiscal and accounting reports or other data gathering activities.

Community Advisory Committee (CAC)

The CAC serves as the SELPA and the Governing Council in an advisory capacity, in accordance with Education Code 56190-56194, by-laws, and the SBC SELPA Procedural

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Handbook. CAC reviews and provides input into the development of the Local Plan, recommends annual priorities to be addressed by the SELPA and assists in parent education and awareness. The CAC includes parents, students, special education and general education staff members, land community members appointed by the LEA governing boards. At least the majority of the CAC shall be composed of parents of students enrolled in schools participating in the Local Plan and at least a majority of such parents shall be parents of students with disabilities with the SELPA.

LEA Governing Boards shall appoint one or more members at-large to the CAC. The appointed members serve a 2-year term and are responsible to the Governing Board of each agency. The SELPA Director or designee serves as the ex-officio member of the CAC and acts as the liaison between the CAC and the Governing Council.

Community Advisory Committee (CAC) Responsibilities:

1. Advising the policy and administrative entity on the development, amendment, and review of the Local Plan;
2. Recommending annual priorities to be addressed by the SELPA;
3. Assisting in parent education and in recruiting parents and other volunteers who may contribute to the implementation of the Local Plan;
4. Encouraging community involvement in the development of the Local Plan;
5. Supporting activities on behalf of individuals with exceptional needs;
6. Assisting in parent awareness of the importance of regular school attendance;

The CAC shall have regularly scheduled meetings no less than two times per year. All meetings of the committee shall be held according to the law and the Brown Act.

Special Education Committee (SEC):

The SEC is an advisory body to the SELPA Director and the Governing Council. The SEC consists of special education administrators and is attended by SELPA staff as appropriate. The SEC special education administrators are responsible as individuals for the operation of their LEA programs to ensure all eligible students with disabilities receive appropriate services. The purpose of the SEC is to provide input to the SELPA Director regarding the Local Plan, special education program needs, professional development, the funding allocation model, the development of inter-agency agreements, policies, forms, and procedures. Meetings of SEC also provide participants with a venue for sharing ideas regarding issues such as IEP development and implementation, curriculum, scope and sequence, student performance targets, assessments, instructional best practices, and day to day operations. In addition, SEC:

- Acts as a conduit for information between the SELPA Director and each LEA's special education department and/or other as needed;
- Acts as a resource to the CAC and provides assistance in identifying an individual to serve as a representative to the CAC.

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Business Advisory Committee (BAC):

The Business Advisory Committee (BAC) membership is comprised of Special Education Administrators and as well as Chief Business Officials (CBOs) representing their respective LEAs.

The BAC shall perform duties such as, but not limited to the following:

1. Participate in the development of the Local Plan pertaining to fiscal agreements and if necessary, recommend revisions to the SELPA Governing Council;
2. Review of SELPA staffing, and staffing ratios related to the Allocation Plan fee-for-service model and the bill-back agreement;

All LEA CBOs shall follow SELPA approved procedures for reporting special education income and expenditures for each of the types of programs or services provided within the SELPA.

SELPA Director:

The AU is responsible for the recruitment of the SELPA Director. The selection of a candidate for the position of SELPA Director shall be the responsibility of the AU with input from the Governing Council.

The SBCOE County Superintendent of Schools conducts the evaluation of the SELPA Director with input from the Governing Council. The SELPA Director assists in assuring that districts and the SBCOE provide a full continuum of programs and services to students with disabilities and that these programs and services are provided according to all legal mandates.

The SELPA Director provides support and resources to members of the public, including parents or guardians of individuals requiring special education who are receiving services under the Local Plan, including the availability of established due process and legal service options and procedures. In cooperation with the State Department of Education, the SELPA Director provides information to ensure that all special education students receive due process of law.

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

Under the direction of the RLA Superintendent and the Governing Council, the SELPA Director responsibilities shall include, but are not limited to:

1. Coordinating the implementation of all components of the San Benito County Special Education Local Plan;
2. Attending and participating in State SELPA Administrators of California Association meetings and committees;
3. Preparing and implementing annual budget and service plans;
4. Developing, implementing, supervising, and evaluating regionalized services;
5. Overseeing the recruitment, supervision, and evaluation of SELPA staff;

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6. Developing and implementing policies, procedures, and local agreements that will ensure that all students are provided with a free and appropriate public education;
7. Developing and maintaining inter-agency agreements with San Andreas Regional Center, California Children's Services, Head Start, and others as needed to ensure a full range of special education programs and services;
8. Ensuring appropriate use of federal, state, and local funds allocated for special education;
9. Preparing program and fiscal reports required by the LEAs, SELPA, and State Department of Education;
10. Developing and implementing a plan for personnel development, including training of staff and parents;
11. Providing technical assistance and consultation to LEAs in all areas of special education, including but not limited to:
 - Alternative Dispute Resolution and Agreements
 - Compliance Monitoring
 - LCAP Consultation
 - Attending and facilitating IEP meetings when appropriate
 - Development of committees pertinent to the implementation of the Local Plan
 - Consulting with LEA boards regarding confidential matters
12. Adopting and implementing a management information system;
13. Establishing and maintaining a positive relationship with all members of the SELPA;
14. Informing all Superintendents of the status of the special education programs;
15. And serving as an ex-officio member of the Governing Council and the CAC.

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)]

SELPA policies, procedures, and Local Plan agreements support the implementation of the Local Plan, and as required by legal mandates, have been developed and are available upon request. These documents can be requested through the SELPA office.

According to the Agreement regarding the Organization, Implementation, Administration, and Operation of the San Benito County Special Education Local Plan Area, the formal adoption of policies shall be made by a quorum vote of LEA representatives at the Governing Council.

Policy proposals and suggested amendments to, or revisions of, existing policies shall be submitted and suggested to all members of the Governing Council in writing prior to a regularly scheduled Council meeting in which such proposed policies, amendments, or revisions shall be read and discussed. Policies will, barring emergencies, be adopted or amended after consideration at two meetings of the Council. Policies may be approved for interim application on one read but will require a second reading for formal adoption. The agenda minutes shall be marked to indicate policy matters. Directly following the approval or revision of any policy within the SELPA, Superintendents are charged with the task to work with LEA administrators and

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staff to implement all SELPA adopted policies and procedures.

LEA Governing Boards:

Board of trustees of school district LEAs and the RLA Superintendent/Governing Board shall develop and adopt policies and procedures for the special education programs and service provided in the San Benito Special Education Local Plan Area. Such policies and procedures shall include, but not be limited to:

1. Approval of the Local Plan on a triennial basis;
2. Adoption of policies and procedures for special education programs and services with their districts;
3. LEA compliance with all elements of the Local Plan;
4. Input on SELPA policies and procedures through their representative;
5. All areas specified in applicable sections of the Education Code.

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 Governing Council has designated the SBCOE as the AU for the SELPA. In this role, the San Benito County Superintendent of Schools is the RLA Superintendent who signs when signatures are required on SELPA related documents as per education code. The AU is the SELPA's fiscal agent and is responsible for implementing the following functions:

1. Receipt and distribution of special education funds for the operation of special education programs and services, pursuant to state and federal law;
2. Employment of the SELPA staff to coordinate the implementation of the Local Plan;
3. Prepare, review and sign appropriate SELPA documents, reports and submissions;
4. Ensure participation of fiscal agents of each LEA via the SBCOE/SELPA business information meetings;
5. Ensures that all relevant audit activities are completed by the SELPA and coordinated with LEAs;

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6. Additional responsibilities of the AU: Serve as the employing agency for personnel who have responsibilities throughout the Local Plan Area. Such personnel will include, but not limited to, the SELPA Administrator and SELPA Program Specialists/Coordinators, as well as administrative staff to support the SELPA operations. Employment of such personnel will be in accordance with personnel policies and practices of the San Benito County Office of Education and procedural employment policies.

The SELPA policies, procedures, and local agreements necessary to support the implementation of the Local Plan, and as required by legal mandates, have been developed and are available upon request. These documents can be requested through the SELPA office.

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

Yes No

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

6. Identify and describe the representation and participation of the SELPA community advisory committee (CAC) pursuant to EC Section 56190 in the development of the local plan: [EC 56194(a)(b)(d); EC 56195.9(a)]

The CAC serves as the SELPA and the Governing Council in an advisory capacity, in accordance with Education Code 56190-56194, by-laws, and the SBC SELPA Procedural Handbook. CAC reviews and provides input into the development of the Local Plan, recommends annual priorities to be addressed by the SELPA and assists in parent education and awareness. The CAC includes parents, students, special education and general education staff members, land community members appointed by the LEA governing boards. At least the majority of the CAC shall be composed of parents of students enrolled in schools participating in the Local Plan and at least a majority of such parents shall be parents of students with disabilities with the SELPA.

The SELPA Director or designee serves as the ex-officio member of the CAC and acts as the liaison between the CAC and the Governing Council. The members of the CAC shall be appointed by, and responsible to, the governing board of each participating district or county office, or any combination thereof, participating in the Local Plan. Appointment will be in accordance with a locally determined selection procedure. Such procedure shall provide that terms of appointment are for at least two years and are annually staggered to ensure that no more than one half of the membership serves the first year of the term in any one year. All

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committee members shall be appointed for two years, with no restriction on renewal of membership.

Community Advisory Committee (CAC) Responsibilities:

1. Advising the policy and administrative entity on the development, amendment, and review of the Local Plan;
2. Recommending annual priorities to be addressed by the SELPA;
3. Assisting in parent education and in recruiting parents and other volunteers who may contribute to the implementation of the Local Plan;
4. Encouraging community involvement in the development of the Local Plan;
5. Supporting activities on behalf of individuals with exceptional needs;
6. Assisting in parent awareness of the importance of regular school attendance;

7. Describe the SELPA's process for regular consultations regarding the plan development with representative of special education and regular education teachers, and administrators selected by the groups they represent and parent members of the CAC: [EC 56205(a)(12)(E); EC 56205(b)(7)]

At least once every three years, a committee comprised of special and regular education teachers and administrators, as well as CAC representatives shall ensure information contained in the Governance and Administration section remains relevant and accurate. On an annual basis, the SELPA Director shall be responsible for the coordination of the development of any proposed amendments to the Local Plan. The Governing Council may adopt changes to the Local Plan on an interim basis, not to exceed one school year. To formally adopt proposed and interim amendments, the following procedure shall be followed:

1. The Governing Council will review and approve the final draft amendments of the Local Plan and submit to the LEA governing boards for approval.
2. LEA governing boards will review and take action on the recommended amendments to the Local Plan within 60 days of submission from the Governing Council.
 - Amendments require the approval of each LEA governing board.
3. Following approval by all LEA governing boards, the SELPA will submit the Local Plan to the State Department of Special Education for submission to the State Board of Education.

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8. Identify and describe the responsible local agency (RLA), Administrative Unit (AU), or other agency who is responsible for performing tasks such as the receipt and distribution of funds, provision of administrative support, and coordination and implementation of the plan: [EC 56836.01(a)(b); EC 56205(a)(12)(D)(ii); EC 56195(b)(3); EC 56030]

An income distribution model has been adopted by the SELPA and shall be reviewed and on a regular basis. The model distributes all funds pursuant to applicable state and federal regulations. Each LEA acknowledges the obligation to maintain the level of general fund contribution towards the provision of special education services at a level equal to or greater than that of the prior year, i.e., Maintenance of Effort (MOE), in compliance with state and federal mandates. The County Superintendent of the SBCOE shall be designated as the Superintendent of the RLA. The RLA Superintendent will serve as a member of the Governing Council and will have the responsibility for the coordination and implementation of the Local Plan in accordance with approved policies and procedures.

RLA Superintendent Responsibilities:

1. Serve as a member of the Governing Council;
2. Receive and maintain accountability for the use of Regionalized Service funds appropriated to the SELPA;
3. Establish appropriate record keeping procedures to be followed by each LEA for purposes of maintaining accurate fiscal and accounting records in accordance with state and federal requirements and submit required reports to the appropriate authorities;
4. Recommend to the Governing Council a plan for the sharing of regionalized service funds when LEAs are required to perform duties related to staff development, fiscal and accounting reports or other data gathering activities associated with required reporting activities.

Administrative Unit (AU) Responsibilities:

The Governing Council has designated the SBCOE as the AU for the SELPA. The AU is the SELPA's fiscal agent and is responsible for implementing the following functions according to an agreement between the AU and SELPA:

1. Receipt and distribution of special education funds for the operation of special education programs and services, pursuant to state and federal laws;
2. Administrative support, including establishing and maintaining an office for SELPA staff;
3. Prepare, review, and sign appropriate SELPA documents, reports and submissions;

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- 4. Ensure participation of fiscal agents of each LEA;
- 5. Ensures that all relevant audit activities are completed by the SELPA and coordinated with LEAs.

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)]

Each Local Education Agency (LEA) member of the San Benito County SELPA shall ensure that interagency agreements and other means of interagency coordination are in effect to ensure services required for a free appropriate public education (FAPE) are provided.

Interagency agreements necessary to support the implementation of the Local Plan, and as required by legal mandates, have been developed with the following agencies: California Children’s Services, Head Start, San Andreas Regional Center, and the San Benito County Public Health Department. Other interagency agreements will be developed as needed. Copies of these documents can be requested through the SELPA office.

Each LEA is responsible for obtaining and implementing all services as outlined in Individual Education Plans (IEPs) and Individual Family Service Plans (IFSPs) to ensure a free appropriate public education (FAPE).

When IEP services and placements are needed that are not available or accessible through the SELPA’s interagency agreements, LEAs may choose to enter into a contractual agreement for services with a Non-Public Agency (NPA) or Non-Public School (NPS) pursuant to the Master Contract.

The LEA representative shall review the master contract, create an Individual Services Agreement (ISA), and review the IEP to ensure that all services agreed upon and specified in the IEP are provided. Each LEA that contracts with a nonpublic, nonsectarian school shall evaluate the placement of its student(s) in such schools on at least an annual basis and prior to placement as part of the annual IEP review. The LEA shall conduct at least one on-site monitoring visit each school year and report accordingly to the California Department of Education (CDE).

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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 SEC is comprised of all member LEAs in the SELPA including the assigned administrator(s) for the COE programs. The SEC can propose and review policies for the operation of special education programs and services to the SELPA Director. The LEA Administrators may prepare and recommend areas for policy development to the SELPA Governing Council via recommendations provided by the SELPA Director. The SEC review each policy proposed based on input from site administrators, general and special education teachers, other staff, school boards, the CAC, and other concerned community organizations as appropriate.

Each proposed policy shall be written and disseminated to the LEA administrators prior to the SELPA Governing Council meeting at which a recommendation may be made by the SELPA Director. The SELPA Director shall forward proposed policy to the SELPA Governing Council with the recommendation for approval, disapproval, or modification of proposed policy. 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 San Benito County SELPA or from the Special Education CAC in its capacity. Policy considerations are to be deal with in accordance with the following procedure:

1. The SELPA Governing Council is charged with the responsibility of adopting appropriate policies regarding the implementation of the Local Plan for special education. Each LEA Superintendent by participation in the San Benito County SELPA Governing Council is charged with overseeing the operations of the Local Plan and implementing the policies adopted. Information is transmitted to the SEC and LEA administrators for implementation of the directives and policies and for the development of procedures.
2. The SELPA provides a coordinating function and serves as staff to each of the groups to facilitate a smooth and efficient operation of the administrative structure and ensure a successful implementation of the Local Plan for special education in accordance with the policies adopted by the SELPA Governing Council.
3. Changes may need to occur in the implementation of the Local Plan as a result of a change in law or regulation or as a change in need of the San Benito County special education population. The process for policy development shall be used in order to develop the necessary new procedures or policies.

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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 RLA is the San Benito County Superintendent. The RLA and the Superintendents/ Administrators of each LEA are responsible to their respective governing boards for the implementation of all elements of the Local Plan.

As per Ed Code, the Superintendent of the Local Education Agency will have the ultimate obligation to:

- Provide leadership within the LEA in support of the special education programs. LEA and COE Superintendents serve as a member of the Governing Council;
- Recommend to the LEA governing board, when appropriate, modifications of LEA special education programs necessary to meet the changing needs of the students, to be included in the required Annual Service and Budget Plans submitted to the SELPA.

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)]

Board policy of each LEA and COE member of the San Benito County SELPA Local Plan shall indicate that the LEA is responsible for educating children with disabilities in the least restrictive environment (LRE). LEA and COE special education administrators are responsible for the coordination of special education services and programs within their agencies and of the implementation of the Local Plan.

Placement in special education programs or services occurs only when nature or severity of the disability is such that the child's education, even with the use of modifications of the general education program, or use of supplementary aids or programs, cannot be achieved satisfactorily. Children with disabilities are served in their home districts whenever the needs identified on the individualized education program (IEP) can be met within the home district. However, it is recognized that some students have unique educational needs that cannot be met in their home districts. Because of such identified unique educational needs, some students receive services from the SBCOE and/or other districts within the SELPA.

Responsibilities include, but are not limited to:

1. Coordinating and conducting Child Find activities;
2. Developing and providing programs and services for all eligible students residing in the district and for students at private schools located in the district;

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3. Identifying and serving students in medical, foster, or residential facilities;
4. Participating in state/district-wide assessments;
5. Participating in Local Control Accountability Plan (LCAP);
6. Operating all special education programs and services in accordance with state and federal laws and regulations;
7. Responding to compliance and due process complaints and implementing the decisions of compliance investigations or due process hearings;
8. Utilizing the same management information system, forms, procedures and guidelines as all other districts within the SELPA; and
9. Collecting and completing state and federal reporting requirements including but not limited to: timely submission of compliance and monitoring plans and reports, self-reviews, comprehensive verification reviews, and other data submission as required by state and federal law.

LEA Governing Boards

The governing board of each LEA shall approve its participation in the San Benito County Local Plan for Special Education. The local governing board responsibilities include but are not limited to:

1. Approval of the Local Plan;
2. Adoption of policies and procedures for special education programs and services within their districts;
3. LEA compliance with all elements of the Local Plan;
4. Input on SELPA policies and procedures through the superintendent of the LEA; and
5. Appointment of individuals to the CAC.

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11. Identify the respective roles of the RLA/AU, the SELPA administrator, and the individual LEAs associated with the SELPA related to:

- a. The hiring, supervision, evaluation, and discipline of the SELPA administrator and staff employed by the AU in support of the local plan: [EC 56205(a)(12)(D)(ii)(I)]

Role of the RLA/AU: The AU is responsible for the recruitment of the SELPA Director. The selection of a candidate for the position of SELPA Director shall be the responsibility of the AU based on input from the Governing Council. The AU supervises, disciplines, and conducts the evaluation of the SELPA Director in conjunction with the Governing Council in accordance with the personnel policies and practices of the San Benito County Office of Education.

Role of the SELPA Director: SELPA staff are employed through the AU and serve the SELPA under the direction of the SELPA Director. The SELPA Director evaluates all SELPA staff in accordance with the personnel policies and practices of the San Benito County Office of Education.

Role of the Individual LEAs: LEAs provide input and recommendations regarding the selection, employment, and evaluation of the SELPA Director through the SELPA Governing Council. LEA Special Education Administrators provide input on selection, supervision, and evaluations of the Program Specialist and other SELPA employees through SEC to the SELPA 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)]

The Governing Council has designated the SBCOE as the AU for the SELPA. The AU is the SELPA's fiscal agent and is responsible for receipt and distribution of special education funds for the operation of special education programs and services, pursuant to state and federal law. The SELPA AU allocates the funds to SELPA-member Local Education Agencies (LEAs) according to the SELPA Allocation Plan. Each LEA acknowledges the obligation to maintain the level of general fund contribution towards the provision of special education services at a level equal to or greater than that of the prior year (Maintenance of Effort), in compliance with state and federal mandates.

The SELPA Director shall review the San Benito County SELPA Funding Allocation Plan on an annual basis to ensure the distribution of federal and state funds as agreed upon.

Details regarding the distribution of funds within the SELPA can be found at the annually updated Budget Plan held locally at the SELPA office and posted on the website. The Allocation Plan has been adopted by the Governing Council and shall be reviewed at least annually.

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

The SELPA shall adopt an annual service plan at a public hearing scheduled at a Governing Council meeting. The plan provides an overview of programs and services available within the SELPA.

The San Benito County Office of Education operates specialized programs on behalf of member LEAs. Special education programs operated by the SBCOE include infant and toddler services under Early State, Early Childhood Education programs, Alternative Education Programs, and the SELPA Low Incidence Program. These services and programs are operated under the SBCOE based on the Agreement Regarding the Organization, Implementation, Administration, and Operation of the San Benito County SELPA.

Each member LEA is responsible to operate special education programs necessary to meet the needs of their local population under the supervision of the LEA Special Education Administrator. In the event any LEA requires specialized programs beyond those offered within their LEA boundaries, LEAs may refer to regionalized program placement. In addition, LEAs may request access to other programs, placements, or services operated by member LEAs of the SELPA including the SBCOE programs, or to appropriate special education programs operated by Non-Public Schools, Non-Public Agencies or other education service providers as deemed appropriate by the LEA.

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

The San Benito County SELPA Governing Council shall develop and adopt an annual budget at a public hearing scheduled in compliance with all legal mandates. The annual budget plan shall identify expected income and expenditures as required by state and federal laws.

Role of the RLA/AU: The AU shall be in receipt of all federal, state and local funds allocated for special education programs as stated in the SELPA Funding Allocation Plan.

Role of the SELPA Director: The SELPA Director coordinates the administration and implementation of the San Benito County Special Education Local Plan. The SELPA Director serves as the chairperson of the Special Education Committee (SEC) composed of the Special Education Administrator or his/her special education designee from each school district or approved charter school where the committee monitors the appropriate use of federal, state, and local funds allocated for special education programs as well as performing other duties listed on the San Benito County Organization, Implementation, Administration and Operation Agreement.

Role of the Individual LEAs: LEA Special Education Administrators shall plan and manage the

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day-to-day operations of the LEAs programs and facilitate liaison with community resources. Each LEA shall provide program, employee, student, and fiscal information as needed to the SELPA to facilitate program coordination, fiscal accountability, budget preparation, staff acquisition and training, communication and compliance regarding state, federal and local reporting. Each LEA, through the Governing Council, SEC, BAC, and CAC shall assist the SELPA in regional planning and preparation of the San Benito County Special Education Local Plan, annual programmatic, student and program evaluation, and fiscal reports as required by state and federal laws and regulations.

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]

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

In order to increase opportunities to serve students with low incidence disabilities in the least restrictive environment, funding is provided from the state within the AB602 Allocation. The low incidence funding supports the provision of specialized services and supports as outlined in IEPs for each pupil with a low incidence disability as defined in California Education Code Section 56026.5: "hearing impairments, vision impairments, severe orthopedic impairments, or any combination thereof."

Low incidence funding is legally the responsibility of the SELPA, including accountability of how the funds are used and reassignment of specialized books, materials and equipment within the SELPA and sharing with other SELPAs. To meet this responsibility, Low Incidence has been established as a standing agenda item for the Special Education Committee, which is comprised of Directors of Special Education and Program Specialists knowledgeable about low incidence disabilities.

Low Incidence Funds may be utilized for specialized equipment, materials and supplies, and services for support of students in the low incidence disability categories: hearing impairment, visual impairment, severe orthopedic impairment, and deaf-blind, as well as other services agreed upon and identified in the SELPA Funding Allocation Plan.

As reference in the SELPA Allocation Plan, the Low Incidence Program is funded off the top and includes the receipt of funds, distribution of funds, maintenance of an inventory, development of procedures for exchange of equipment, and reporting to the State.

Role of the RLA/AU: The AU shall be in receipt of all federal, state and local funds allocated for special education programs as stated in the SELPA Funding Allocation Plan. Funds are distributed on an a per-ADA basis based upon prior year second principal apportionment attendance as certified by the state, after "off-the-top" (Low Incidence Programs, Medical

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Therapy Unit, Extraordinary Cost Pools, and SELPA Reserve) expenditures have been funded.

Role of the SELPA Director: The SELPA Director's responsibilities include, but are not limited to, ensuring full educational opportunity for student in the Least Restrictive Environment, maintenance of inventory, and approval of purchases for criteria agreed upon by Governing Council for use of low incidence funding and any off-the-top funding available.

Role of the LEA: LEAs shall ensure to provide specialized equipment and services at the site where the IEP team has determined appropriate for the student to receive FAPE in the least restrictive environment. If criteria is met, the LEA Special Education Administrator shall submit application for use of off-the-top funds mentioned above.

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:

"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:

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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)

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:

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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 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:

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"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:

"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:

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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

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

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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 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:

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"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:

"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:

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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:

Document Location:

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

Yes No

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

Policy/Procedure Number:

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Document Title:

Document Location:

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

Yes No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

23. Prohibition on Mandatory Medicine: 20 USC Section 1412(a)(25); EC 56205(a)(22)

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

Administration of Regionalized Operations and Services

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

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

Document Title:

Document Location:

Description:

2. Coordinated system of identification and assessment:

Document Title:

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Document Location:

Description:

The AU conducts Child Find activities in accordance with the Local Plan and has the same responsibilities as the LEAs or as outlined in the SELPA Procedural Handbook.

Role of the SELPA Director: Ensure each LEA conducts Child Find activities. The SELPA will provide technical support to 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. The SELPA Director also meets annually with private school representatives within the boundaries of the SELPA regarding Child Find responsibilities of the LEAs within the SELPA.

Role of the individual LEAs: Each LEA is responsible for identifying and assessing all students for whom they are responsible according to Child Find process and procedures.

CHILD FIND 20 USC Section 1412(a)(3)

It shall be the policy of the LEA that all children with disabilities residing in the State, including children with disabilities who are homeless children or are wards of the State and children with disabilities attending private schools, regardless of the severity of their disabilities, and who are in need of special education and related services, are identified, located, and evaluated and a practical method is developed and implemented to determine which children with disabilities are currently receiving needed special education and related services.

3. Coordinated system of procedural safeguards:

Document Title:

Document Location:

Role of the RLA/AU: The RLA/AU assists in complaints and provides technical assistance and guidance as requested. In addition, the role is the same as the LEAs.

Role of the SELPA Director: The SELPA provides alternate dispute resolution with districts as requested by parents and LEAs. The SELPA assists parents with filing complaints with the Office of Administrative Hearings when requested. The SELPA also assures procedural safeguards by providing technical assistance and guidance on forms

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and procedures to LEAs in the areas of assessment, identification, and placement. The SELPA will also provide parents with a copy of their procedural safeguards upon request and will maintain a copy in their website.

Role of Individual LEAs: The LEAs provide procedural safeguards to parents consistent with the education code, assist parents with understanding them, and ensure they are implemented. The LEAs assist parents with filing complaints with the Office of Administrative Hearings when requested. The LEAs comply with procedures as outlined in state and federal law, and the SELPA Procedural Handbook.

At a minimum, LEAs provide procedural safeguards as stated below:

1. Initial and Annual Notice

Prior to the initial evaluation and assessment to determine eligibility, the LEA shall give written notice to the parent which shall include all required elements as outline in (17 C.C.R. Section 52160(a-c)).

2. General Notice Requirements

a. Written notice shall be given to the parent of a child who is eligible or suspected of being eligible a reasonable time before SARC or a participating LEA proposes or refuses to initiate or change the identification, evaluation, assessment, placement, or early intervention services of a child or the child's family (17 C.C.R. Section 52161(a) (1-2)).

b. The notice shall be sufficient detail to inform the parent about the action being proposed or refused, the reasons for taking the action, and all procedural safeguards that are available (17 C.C.R. Section 52161(b) (1-3)).

c. The notice shall be written using words that are understandable to the general public and provided in the language of the parent's choice, unless it is clearly not feasible to do so. SARC or other participating LEA shall ensure that the parent understands the notice (17 C.C.R. Section 52161(c)(1-2)).

3. Consent

The LEA shall obtain written parental consent before the initial evaluation and assessment of a child is conducted and early intervention services are initiated. The child's record shall contain written evidence that the parent has been informed of all required information as specified

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in 17 C.C.R. Section 52162. All parties must abide by the Procedural Safeguards as outlined in Federal Law and relevant federal regulations. Parents will be informed of their rights to due process at the initial meeting with each agency and at each annual IFSP/IEP meeting. During the continuance of a dispute, a child may continue to receive the same level of services currently being provided in the last consented to IFSP/IEP.

LEAs agree to comply with all privacy requirements associated with child/family confidentiality as regulated by the Family Education Rights to Privacy Act (FERPA) and/or the Health Insurance Portability and Accountability Act (HIPA).

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

Document Title:

Document Location:

Description:

Role of the RLA/AU: The RLA Superintendent recommends to the GC a plan for the sharing of regionalized service funds when LEAs are required to perform duties related to staff development, fiscal and accounting reports or other data gathering activities associated with required reporting activities; participates in developing a plan for staff development, and implements staff development in collaboration with the SELPA.

Role of the SELPA Director: On an annual basis, input is collected from the Special Education Directors from member LEAs to determine the staff development needs requested for the SELPA to provide. On an annual basis, the CAC will provide input on the parent and guardian education needs. The SELPA Administrator will provide needed training and supports as requested, or determined appropriate. The SELPA also works in conjunction with other agencies to provide staff and parent training, such as DCN, PPP, CAPTAIN, SIP and others as needed.

Role of the individual LEAs: LEAs will determine their staff development and parent and guardian education, based on their local needs. They may also seek technical assistance or input from the SELPA.

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

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Document Title:	Local Plan Policy & San Benito County SELPA Procedural Handbook
Document Location:	SELPA Office and website: www.sbcoe.org
Description:	<p>Role of the RLA/AU: Provide guidance, technical assistance and staff development as requested or determined appropriate. The COE determines their needs for curriculum development and alignment with the core curriculum based on their local needs.</p> <p>Role of the SELPA Director: The SELPA will provide technical assistance and staff development as requested or determined appropriate.</p> <p>Role of the individual LEAs: LEAs will determine curriculum development and alignment with the core curriculum based on their local needs. LEAs conduct a needs assessment to inform staff development plans and calendar trainings.</p>

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

Document Title:	Local Plan Policy & San Benito County SELPA Procedural Handbook
Document Location:	SELPA Office and website: www.sbcoe.org
Description:	<p>Role of the RLA/AU: See the "San Benito County Special Education Local Plan Area Organization, Implementation, Administration and Operation Agreement" in addition to responsibilities stated below for the LEAs.</p> <p>Role of the SELPA Director: The SELPA works collaboratively with the LEAs and the RLA to review and evaluate the effectiveness of the Local Plan through monitoring activities, data collection and other activities deemed necessary by the California Department of Education, Directors and/or Superintendents.</p> <p>Role of the LEAs: The RLA and the Superintendents/Administrators of each LEA are responsible to their respective governing boards for the implementation of all elements of the Local Plan. LEA and COE Superintendents serve as members of the GC; assist in the identification of special education program and service needs for the San Benito County SELPA through participation on the GC; and communicate SELPA information to their governing boards. LEA Special Education</p>

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Administrators are responsible for coordination and implementation of special education services and programs and for the implementation of the Local Plan.

The LEA governing board responsibilities include, but are not limited to: adoption of policies and procedures for special education programs and services within their districts; LEA compliance with all elements of the Local Plan; input on SELPA policies and procedures through the Superintendent of the LEA; and, appointment of individuals to the CAC.

Individual LEAs review and monitor Annual Performance Reports, the California School Dashboard, and other data sources to ensure students with disabilities receive a Free and Appropriate Public Education (FAPE). Individual LEAs also engage in monitoring activities as required by the COE and California Department of Education. All LEAs are required to submit data and information in a timely manner to the SELPA as requested.

7. Coordinated system of data collection and management:

Document Title:

Document Location:

Description:

Role of the RLA/AU: See "San Benito County Special Education Local Plan Area Organization, Implementation, Administration and Operation Agreement."

Role of the SELPA Director: The SELPA will approve the California Longitudinal Assessment and Pupil Data System (CALPADS) submission of each member LEA as required by the California Department of Education. The SELPA will provide technical assistance and training to LEAs as requested and/or deemed necessary by the SELPA. The SELPA will maintain a contract for a special education management information system on behalf of the LEAs. The SELPA is responsible for timely and complete submission of items to the California Department of Education.

Role of the individual LEAs: The LEAs are responsible for data entry, quality and integrity. The LEAs will approve the California Longitudinal Assessment and Pupil Data System (CALPADS) submission as required by the California Department of Education. LEAs are responsible for timely and complete submission to the SELPA for review prior to

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8. Coordination of interagency agreements:

Document Title:

Document Location:

Description:

9. Coordination of services to medical facilities:

Document Title:

Document Location:

Description:

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services within the LEA or SELPA are not appropriate, then the LEA shall contract with an appropriate provider to implement the student's IEP. This may include a neighboring SELPA or nonpublic agency (NPA).

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

Document Title:

Document Location:

Description:

Role of the RLA/AU: The San Benito County Office of Education serves as the district of residence for those students residing in LCIs within the SELPA's physical boundaries according to the AB602 fiscal allocation plan. Special education funds are used to support the education of students residing in an LCI. Students residing in an LCI within the SELPA are serviced in special education classes within the SELPA. Students may receive placement and services in a LEA-operated program, regional program, or NPS as determined by the student's Individual Education Program (IEP).

Funding for these students' educational placements is paid by AB602 dollars prior to the distribution of funds to the districts.

Role of the SELPA Director: The SELPA will help facilitate the coordination of these services and funding. In addition, the SELPA office will take an active role in working with other agencies regarding the appropriate implementation of laws and regulations regarding notice for LCI students being placed within the SELPA.

Role of the individual LEAs: Special education services for students with disabilities residing in foster family homes shall be the responsibility of the district in which the foster family home is located, unless based on education code there is another district of special education accountability which would be responsible. Students living in a foster family home are served by the LEA where the foster family home is located.

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

Document Title:

Document Location:

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Description:

Role of the RLA/AU: See the "San Benito County Special Education Local Plan Area Organization, Implementation, Administration and Operation Agreement."

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

Role of the individual LEAs: Individual LEAs will work collaboratively to maintain accurate data, compile necessary information and submit required data in order for the SELPA to submit timely reports.

12. Fiscal and logistical support of the CAC:

Document Title:

Document Location:

Description:

Role of the RLA/AU: Recruit a representative to the CAC.

Role of the Administrator of the SELPA: The SELPA will provide fiscal and logistical support for CAC meetings, events, and trainings.

Role of the individual LEAs: LEAs are responsible for recruiting representatives to serve on the CAC. The LEA Board is responsible for approving the CAC representative. LEA Directors shall facilitate communication between their CAC representative and the LEA.

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

Document Title:

Document Location:

San Benito County SELPA is a multi-district SELPA and, as such, does not have a single service provider for special education transportation. The responsibility for providing this service lies with the student's district of residence. Consequently, there are varying delivery models, procedures, and contracts.

Role of the RLA/AU: At the request of the LEA, provide county-wide transportation to and from regionalized program placements for all

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eligible students.

Role of the SELPA Director: At the request of the LEA, the SELPA Director coordinates with the RLA/AU and outside contractors as necessary to provide transportation services as agreed upon in the IEP.

Role of the individual LEAs: The need for special education transportation must be recorded in the IEP. As outlined in the SELPA Procedural Handbook, specific transportation requirements should be identified, i.e., specific modifications and adaptive equipment needed; type (school to school, door to door, etc.); frequency and duration of special transportation services; and any other special considerations, such as a bus monitor, non-school site transportation, etc. (Note that the type of vehicle, the selection of the equipment, the bus routes and locations for bus stops are related to the function and operation of the school transportation system and fall under the decision-making authority of the district.) The student's IEP must be approved by the parent or guardian prior to initiating special education transportation services. Any change in special education transportation services, including discontinuation of the service, requires an IEP meeting.

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

Document Title:

Document Location:

Description:

Role of the RLA/AU: Provides regionalized transition services and programs to students served in programs operated by the County Office of Education and within the SELPA as needed.

Role of the SELPA Director: The SELPA Director will provide technical assistance and staff development as needed. The SELPA Director will ensure appropriate interagency agreements are in place and facilitate connections to agencies, as appropriate.

Role of the individual LEAs: Each LEA will provide and/or contract regionally for the appropriate career and vocational education and transition services as required under state and federal law.

15. Assurance of full educational opportunity:

Document Title:

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Description:

Role of the RLA/AU: The RLA, in coordination with the SELPA, assures pupils have full educational opportunity regardless of the district of special education accountability.

Role of the SELPA Director: The SELPA Director shall coordinate with LEAs to provide local and regional programs that ensure a continuum of services to students residing within the SELPA.

Through approval of the Annual Services Plan, the SELPA and GC will ensure that the full continuum of services is provided. The SELPA will assist with inter-SELPA transfers as needed. Additionally, professional development and technical assistance is available upon request or as determined to be needed by the SELPA to LEAs and/or nonpublic schools.

Role of the individual LEAs: Each LEA is responsible for monitoring student IEPs to ensure all services documented are provided, without delay, and at no cost to the parent. LEAs ensure IEPs are implemented and reviewed per mandated timelines, and provide all necessary services to its students through a full continuum of services. Services are also provided through local and/or regionalized programs and providers. LEAs ensure adequate yearly progress is occurring.

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

Document Title:

Document Location:

Role of the RLA/AU: State AB602 and Federal Local Assistance Grant funds are distributed on a per-ADA basis based upon prior year second principal apportionment attendance as certified by the state, after the following "off-the-top" expenditures have been funded: Low Incidence Programs, Medical Therapy Unit, Extraordinary Cost Pool, and SELPA Reserve according to the Funding Allocation Plan. Each LEA acknowledges the obligation to maintain the level of general fund contribution towards the provision of special education services at a level equal to or greater than that of the prior year (Maintenance of

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Effort), in compliance with state and federal mandates.

The County Superintendent shall be designated as the Superintendent of the Responsible Local Agency (RLA). The RLA Superintendent will serve as a member of the GC and will have the responsibility for the coordination and implementation of the Local Plan in accordance with approved policies and procedures.

RLA Responsibilities: Serve as a member of the GC; receive, distribute and maintain accountability for the use of funds appropriated to the SELPA in accordance with the AB602 fiscal allocation plan; establish appropriate record keeping procedures to be followed by each LEA for purposes of maintaining accurate fiscal and accounting records in accordance with state and federal requirements and submit required reports to the appropriate authorities; recommend to the GC a plan for the fiscal and accounting reports or other data gathering activities associated with required reporting activities.

Administrative Unit (AU): The GC has designated the SBCOE and the AU for the SELPA. The AU is the SELPA's fiscal agent and is responsible for implementing the following functions according to an MOU between the AU and the SELPA including the receipt and distribution of special education funds for the operation of special education programs and services, pursuant to state and federal law and the AB602 fiscal allocation plan.

Role of the SELPA Director: The SELPA will coordinate with the AU in order to facilitate the distribution of funds in accordance to the AB602 funding allocation plan approved by the GC. The SELPA will also collaborate on the Annual Budget and Service Plans. The SELPA will also convene an advisory body for the review of the fiscal allocation plan as directed by the GC to evaluate fairness and equity in distribution of funds.

Role of the individual LEAs: Each LEA through their representative to the GC will determine and approve the allocation of funds to the member LEAs and the Annual Budget Plan. The LEAs will also submit required fiscal reports as required by state and federal laws.

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

Document Title: Local Plan Policy & San Benito County SELPA Procedural Handbook

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Description:

A program specialist holds a valid special education credential, clinical services credential, health services credential, or a school psychologist authorization and has advanced training and related experiences 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.

A 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 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 their expertise; be responsible for assuring that pupils have full educational opportunity regardless of the district of residence.

Role of the RLA/AU: The same as the role of the LEAs.

Role of the SELPA Director: The SELPA Director may assist in coordinating staff development and training, developing and disseminating forms, policies, and procedures throughout the SELPA; assisting with state monitoring and compliance reviews related to instructional programs including those that are related to the Focused Monitoring and Technical Assistance Process.

Role of the individual LEAs: LEAs may employ program specialists and are responsible for direct instructional program support including planning, directing, coordinating, and evaluating instructional programs; providing staff development; developing and disseminating forms, policies and procedures; assuring coordination between general education and special education, providing behavioral intervention, and preparing and implementing reviews and plans associated with the Focused Monitoring and Technical Assistance Process.

Special Education Local Plan Area Services

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

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Description:

The Early Start Program is a collaboration between the San Andreas Regional Center (SARC) and the San Benito County Office of Education. The Early Start Program through SBCOE, or private infant programs contracted by SARC, shall include provision of services specifically designed to meet the unique needs of infants, from birth to three years of age, and their families. The primary purpose of an early education program is to enhance development of the infant in the context of their family. To meet this purpose, the program shall focus upon both the infant and their family, and may include home visits, group services, family involvement, and/or parent education activities. Services shall be provided in the natural (home, community) environment whenever possible. Parent involvement/education activities are provided in conjunction with home based and group services.

All children receiving Early Intervention Services are potentially eligible for special education and related services at age three, and are referred for assessment to determined continued eligibility.

The child's district of residence has the obligation to conduct an evaluation to determine special education eligibility or document through a prior written notice the reasons for the LEAs refusal to conduct such an evaluation. If it is determined that the child meets the eligibility criteria for special education, then the district of residence shall provide special education and related services to eligible children as appropriate, beginning at age three.

There is a collaborative effort with other agencies to ensure services to children birth through five including, but not limited to: SARB, Headstart, State Preschools, and school-based preschools. For a list of programs and services, more information can be found in the Annual Service 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:

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Members of the public, including parents or guardians of students with disabilities, may address questions or concerns to their LEA administrator directly, the governing board of each LEA, the GC, and/or the CAC by contacting the individual governing body, individual administrator, administrative assistant of the LEA Board and/or attending the GC, CAC or LEA Board meeting and stating questions or concerns during the public comment section.

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

Document Title:

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In the event of a disagreement between LEAs, LEAs and the AU, LEAs and/or the AU and the SELPA regarding the distribution of funding, responsibility for service provision and any other governance activities specified in the Local Plan, it is the intent of the GC that issues will be resolved at the lowest level possible with final appeal to the GC. If an LEA disagrees with a decision or practice of another agency or the SELPA, that LEA has a responsibility to discuss and attempt to resolve the disagreement with the party, or parties, directly involved. The parties involved will present their issues to their respective Superintendents, or designees, who will attempt to resolve the matter.

Either party may request the assistance of the SELPA Director, or their designee, or the Chair of the GC. If this process fails, the parties may pursue a hearing on the issues and resolution with the GC. If any party involved in the disagreement is a voting member on the GC, they shall excuse themselves from the vote if voting is required as part of the resolution to the dispute. This is intended to resolve disagreement, but not intended to undermine local authority. If either party disagrees with the recommendation of the GC, and the dispute relates to the distribution of funding, the responsibility of service provision or other governance activities within the Local Plan, the party may submit the dispute to mediation.

Any dispute unresolved in mediation, arising from a dispute that relates to the distribution of funding, the responsibility for service provision or other governance activities specified in the Local Plan shall be settled by

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

Document Title:

Document Location:

Description:

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

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Description:

master contract. The monitoring visit shall include: a review of services provided through the ISA; a review of progress on goals; a review of progress on goals specific to a behavior intervention plan (BIP); an observation of the pupil during instruction; and a walkthrough of the facility. Findings of the monitoring visit will be sent to the CDE in accordance with regulations. The LEA representative shall review the master contract, the individual services agreement, and the IEP to ensure that all services agreed upon and specified in the IEP are being provided. Nonpublic, nonsectarian schools are required by a master contract and the IEP to annually evaluate the student to determine if they are making appropriate educational progress. The LEA representative shall collaboratively review with the nonpublic, nonsectarian school the evaluations conducted by the nonpublic, nonsectarian school to ensure that they were appropriate and valid for measuring student progress. The LEA may choose to administer additional assessments as necessary, with parent consent where required, to determine whether the student is making adequate educational 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 special education services:

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

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

Document Title:

Document Location:

Description: