

LOCAL PLAN

Section B: Governance and Administration

SPECIAL EDUCATION LOCAL PLAN AREA



California Department of Education

Special Education Division

SELPA South East Santa Clara

Fiscal Year 2024-25

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 South East Santa Clara SELPA is a COE joined SELPA composed of twelve member local educational agencies (LEAs) located in the southern and eastern areas of Santa Clara County, including the Alum Rock School District, Berryessa School District, East Side Union High School District, Evergreen Elementary School District, Franklin McKinley School District, Milpitas Unified School District, Gilroy Unified School District, Morgan Hill Unified School District, Mt. Pleasant Elementary School District, Oak Grove School District, Orchard School Districts and the Santa Clara County Office of Education. The member LEAs include 1 high school district, 7 elementary districts, and 3 unified school districts, along with the Santa Clara County Office of Education (SCCOE). There are 2 SCC Board of Education authorized Charter schools located within the boundaries of the SELPA.

Of the approximately 80,000 students served within the SELPA member LEAs, there are approximately 11,000 students with IEPs. The percentage of students with disabilities ranges from 8%-15% across the SELPA. The LEAs range in size from approximately 700 students to approximately 19,000 students. Though the SELPA encompasses mostly a metropolitan area, there are many areas that are considered farmland. The South East SELPA is adjacent to the North West SELPA (formerly Santa Clara SELPAs I, II, III, IV, VII) and located in the same county. For the students served in the South East SELPA, the bordering counties are Alameda County to the north, Merced and Stanislaus counties to the east, and Santa Cruz and San Benito counties to the southwest and south.

Each member LEA has agreed to cooperate and participate through the adoption and implementation of this Local Plan.

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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 main governing body of the SELPA is the Superintendents' Executive Council (SEC). The SEC is composed of the Superintendent of each of the eleven member Local Education Agency (LEA)s within the South East SELPA and the Santa Clara County Office of Education. Members of the SEC are responsible to the governing board of their respective local education agency. The SEC additionally participates in the AU Council to review and address special education topics that have a countywide impact.

SUPERINTENDENTS' EXECUTIVE COUNCIL

The SEC, with input via the SELPA Director from each member LEA (fiscal, programmatic, and the CAC), provides for the approval of policy and related issues which are necessary to operate the SELPA. The SEC is composed of the Superintendent, or administrative designee from each school district in the SELPA including the Santa Clara County Office of Education. The SEC meets no less than 5 times annually and provides direction to the SELPA including, but not limited to the following:

1. Setting policies and approving procedures for the operation of SELPA regional programs and services.
2. Directing the allocation and utilization of SELPA management and support services.
3. Ensuring the priorities of the South East SELPA are represented and considered in countywide decisions.
4. Approving the allocation of SELPA budget funds.
5. Supervising the activities of the SELPA Director.
6. Approving interagency agreements
7. Reviewing and providing recommendations for the resolution of conflicts referred by the member LEAs.

The SEC has established bylaws for its organization and operation. Included in these bylaws are provisions for organization and membership, procedures for meeting and voting, statements of philosophy and function, and explanations of documentation. Per the SELPA Bylaws, Each Superintendent of the member districts, including the County Superintendent of Schools, shall have one vote on the SEC. The County Superintendent of Schools may assign a singular designee as a voting member. Alternates or designees shall not be allowed to cast a vote. Decisions shall be reached by a majority vote of the total SEC, and a quorum for any meeting of the SEC Board is seven (7) members. The Bylaws are located in the SELPA, and RLA offices.

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The Administrative Unit Council is composed of the Superintendents or their representatives of the LEAs in South East SELPA and Northwest SELPA and the County Superintendent of Schools. (Alum Rock Union School District, Berryessa Union School District, East Side Union School District, Evergreen School District, Franklin-McKinley School District, Milpitas Unified School District, Mt. Pleasant School District, Oak Grove School District, Orchard School District, Gilroy Unified School District, Morgan Hill Unified School District, Los Altos Elementary School District, Mountain View Whisman School District, Mountain View-Los Altos Union High School District, Palo Alto Unified School District, Fremont Union High School District, Cupertino Union School District, Sunnyvale School District, Cambrian School District, Campbell Union School District, Campbell Union High School District, Lakeside Joint School District, Loma Prieta Joint Union School District, Los Gatos Union School District, Los Gatos-Saratoga Union High School District, Luther Burbank School District, Moreland School District, Saratoga Union Elementary School District, Union Elementary School District, San Jose Unified School District, Santa Clara Unified School District and the Santa Clara County Office of Education.)

The Administrative Unit Council:

1. Reviews and approves any of the housing/facilities agreements for the Santa Clara County Office of Education operated special education programs.
2. Participates in the discussion for the rates charged for the Santa Clara County Office of Education fee for service special education programs and services.
3. Shall address any other countywide special education related issue deemed appropriate by the Administrative Unit Council chairs.
4. Shall address other topics as recommended or requested by the Santa Clara County Superintendent of Schools.
6. The Administrative Unit Council meets quarterly or as needed to address the topics delineated above.
7. The AU Council will meet in person alternating locations so that twice a year it is at the South East SELPA Office and twice a year it is at the North West SELPA Office.
8. Each Superintendent or their designee shall have one vote on the council.
9. A quorum is set as having majority representation from NW SELPA and SE SELPA. Once a quorum is established a motion may pass with the majority present.
10. The AU Council is a Brown Act Body

The Chair of the AU council is elected by the Superintendents of the LEAs in Santa Clara County. The Chair role will be alternated each year between NW SELPA and SE SELPA. To determine the rotation, a coin toss will be held prior to the first year election of the chair to determine if SE SELPA or NW SELPA representative will be eligible as the chair in the first year. Thereafter, the rotation will be established and codified in the minutes.

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South East SELPA's and North West SELPA's Executive Councils will each select a person to be a co-vice chair in an officer role on the AU Council.

- The SELPA Directors may bring issues to their respective vice chairs who may then elevate the issues to the AU Council.
- The Elected Chair and the Secretary will be responsible for preparation of the agenda.
- The County Superintendent of Schools shall serve as the Secretary of the AU Council.
- The Secretary will be responsible for: Ensuring that minutes are taken and Maintaining the records of AU Council

The South East SELPA Director and the North West SELPA Director will function as Ex Officio members of the AU Council.

Resolving Disputes

In the event of a disagreement among local educational agencies or local education agencies and the Administrative Unit regarding the distribution of funds, responsibility for service provision, and/or governance activities, the disputing LEAs shall first attempt to arrive at a settlement. If the process fails, the parties may pursue a hearing on the issues and a resolution through a Resolution Council. The Resolution Council shall be composed of the following members:

1. The AU Council Chair
2. The AU Council Secretary
3. The Co-vice chair from NW SELPA
4. The Co-vice chair from SE SELPA
5. The NW SELPA Director
6. The SE SELPA Director
7. A selected representative from the SELPA not represented by the current AU Council Chair

The Resolution Council shall hear the facts of the dispute and shall render a written decision on the matter, which shall be binding on all parties.

SELPA DIRECTOR

The SELPA Director shall serve as the chief administrator of the SELPA to oversee and implement the SELPA Local Plan, including the Annual Service Plan, Annual Budget Plan, and Annual Assurances Plan (once available from the CDE). Responsibilities include but are not limited to:

1. Providing overall coordination of the SELPA Local Plan;
2. Periodically reviewing all policies adopted by the SEC and making appropriate recommendations for changes to the SEC;
3. Advising the SEC of all possible sources of funds that might be available to implement

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present or contemplated District programs;

4. Establishing and maintaining appropriate relations with the other SELPA unit in Santa Clara County and with the County Office of Education;
5. Serving as liaison between the SEC and the SEC designated representative with respect to all employer/employee matters;
6. Arranging for meetings, establishing agendas, and recording minutes as appropriate for the SEC;
7. Acting as a liaison between and among the SELPA, State Department of Education, SEC, Community Advisory Committee, Federal Departments and elected government officials;
8. Implementing the regionalized services of the SELPA to include:
 - Developing and administering professional development
 - Coordinating program review
 - Supervising data collection, information management and dissemination
 - Coordinating the monitoring of Local Plan implementation through program review
 - Assisting the RLA or other designated entity with hiring, supervising, evaluating and disciplining staff employed by the SELPA RLA or other designated entity
 - Assisting in the development of the annual budget plan and annual SELPA operations budget
 - Allocating, distributing and monitoring funds to LEAs for the operation of special education programs and services in accordance with local, state and federal policy
 - Coordinating the funds for low incidence services, equipment and materials in accordance with established procedures
 - Preparing and submitting to the State Department of Education all reports required for the SELPA and individual LEAs, when appropriate, in accordance with local, state and federal requirements
 - Assisting in the development and coordinating implementation of agreements with other SELPAs and agencies
 - Assisting in the identification of special education program and service needs for the SELPA
 - Requesting input from LEAs regarding regionalized services
 - Providing technical assistance to LEAs on any and all relevant topics, including but not limited to alternate dispute resolution, due process, and complaint procedures
 - Representing the SELPA in due process and complaint procedures
 - Updating the Superintendents' Executive Council on legislative changes, proposals, trends and related concerns
 - Acting as an Ex Officio member of the AU Council

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3. Describe the SELPA's regional policy making process. Clearly define the roles of a multi-LEA governing body, or single LEA administration as applicable related to the policy making process for coordinating and implementing the local plan: [EC 56195.7(i)(j)(1)(2)]

As part of the Local Plan process, suggestions leading to the development of policies or procedures and/or changes to existing policies or procedures, the SELPA Director may convene collaborative work groups and/or job-alike teams to discuss special education topics concerning the SELPA. These work groups may originate from suggestions made at any level of the governance structure. With input and collaboration from LEA special education administrators, their representatives and SELPA staff, as well as the Santa Clara County Office of Education as the SELPA AU, through these collaborative work groups, the SELPA Director will:

- Develop, implement, maintain, and update as needed all relevant forms, guidelines, handbooks, policies and procedures to support special education programs within the SELPA;
- Coordinate timely submission of data for reporting purposes, including but not limited to fiscal and attendance reports;
- Develop, provide and monitor and professional development opportunities that foster continuous improvement opportunities;
- Recommend and review SELPA budget and program priorities;
- Review the effectiveness of regional programs;
- Promote and foster positive parent collaboration and participation with the Community Advisory Committee;
- Guarantee a continuum of services are available within the SELPA.

To ensure fiscal responsibility related to policies and procedures, three times yearly or as often as deemed necessary by the group, the SELPA Director and Fiscal Advisor will hold work groups with representatives from the member LEA's fiscal teams to discuss topics related to special education matters including budgets, policies, allocation of resources and regional program needs. At least one of these meetings may be held concurrently with the Special Education directors.

Policies that are developed as part of these collaborative work groups will be brought to the Superintendents' Executive Council by the SELPA Director with the recommendation for approval, disapproval, or modification of proposed policy based on input from the collaborative work group members.

RESPONSIBILITIES OF SUPERINTENDENTS

Superintendents of all school districts in the South East Consortium SELPA, including the Santa Clara County Office of Education, are responsible for reviewing, updating and adopting policies

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for special education programs and services regarding Budget Allocation Plans, Service Delivery Plan, and the SELPA Local Plan.

RESPONSIBILITIES OF LEA GOVERNING BOARDS

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

RESPONSIBILITIES OF THE LOCAL EDUCATION AGENCIES

With guidance and consultation from the SELPA Director, LEA Special Education Directors are responsible for the following activities:

- Participating in the development and adoption of policies related to the governance and operation of the SELPA;
- Operate local programs consistent with state and federal law, regulations, and policies and procedures approved by the SELPA;
- Annually reviewing and approving special education programs and services of the LEA;
- Developing and adopting policies for the operation of the LEA which are consistent with those of the SELPA, and which promote the concept to ensure access to appropriate programs and services for all children with disabilities.
- Participating in the nomination, selection, and appointment of representatives to the CAC
- Providing suitable housing for special educational programs operated by the Santa Clara County Office of Education pursuant to the Santa Clara County Office of Education Housing Policy

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 Santa Clara County Office of Education is a member LEA of the SELPA and shall serve as the SELPA AU. The AU receives and distributes funds for the local plan through the RLA in accordance with the method adopted by the Superintendents Executive Council and upon receipt, the funds are distributed by the SELPA office in accordance with the annually approved South East SELPA Budget Allocation Plan. The AU, through the Business Services Department, may advise and assist with the provision of administrative support, technical assistance and coordination for the implementation of the local plan, including fiscal and budget monitoring issues related to the South East SELPA and special education programs as determined by the South East Executive Council.

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The Superintendents' Executive Council has identified Mt. Pleasant Elementary School District as the Responsible Local Agency to perform functions of the South East SELPA related to housing, and administrative support, and shares the responsibility with the AU to provide fiscal and administrative support to the South East SELPA. The RLA serves as the employer of the South East SELPA staff and the South East SELPA is located at the Mt. Pleasant District Office site.

The South East SELPA and the South East SELPA staff are responsible for gathering information and materials, preparing reports, sending correspondence, and creating informational documents; planning and scheduling meetings and events; staying current on technology and equipment; monitoring procedures and implementation; answering questions of SELPA members; supporting compliance throughout the SELPA; and maintaining the administration and operation of the SELPA office.

The SCCOE provides a range of fee for service programs, including special education programs for infants and pupils requiring more intensive services than are provided within the member LEA programs. The member LEAs provide a continuum of programs and services for students requiring special education under the Individual with Disabilities Education Act (IDEA) from preschool through post secondary, as appropriate. The district of residence maintains accountability as prescribed in state and federal law. The Santa Clara County Office of Education posts a copy of the South East Consortium SELPA local plan on its website.

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)]

Community Advisory Committee members are appointed by their Local Education Agency governing boards through recommendation of the LEA Special Education Director for a term of two years, unless otherwise determined by the governing board.

The committee responsibilities include:

- input to policy and administrative bodies of the SELPA on such matters as development and review of the Local Plan

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- recommendations for annual priorities in the Local Plan
- assist in parent education and in recruitment of parents and other volunteers who may contribute to the implementation of the Local Plan
- Encourage community involvement in the development and review of the Local Plan
- Support activities on behalf of children with disabilities
- Assist in parent awareness of the importance of regular school attendance
- Support community involvement in the parent advisory committee established pursuant to Section 52063 to encourage inclusion of parents of individuals with exceptional needs to the extent these pupils also fall within one or more definitions in Section 42238.01

Regularly scheduled meetings are held to assist members in keeping well informed regarding programs and legislation for children with disabilities, and to foster closer communication with school administrators, educators, parents, and community. The SELPA Director serves as a liaison and is ex-officio member of the Community Advisory Committee and facilitates this input process.

The South East SELPA Governance Council will receive CAC meeting minutes as part of the Governing agendas.

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 SELPA Local Plan will be developed and updated cooperatively by a committee convened by the SELPA Director with input from the LEA Special Education Administrators and SEC. The committee will include special education teachers, general education teachers, special education administrators, general education administrators, and parent members of the community advisory committee or parents selected by the community advisory committee. The district special education administrators will assist in recruiting special education and regular education teachers and administrators who will serve as the Local Plan committee members.

Facilitated by the SELPA Director, the committee will meet at least once every three years to review the SELPA Local Plan with the purpose of ensuring the information contained within the plan remains relevant and accurate. During the review process, the committee will meet a minimum of 3 times in order to ensure effective participation, consultation and communication.

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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]

The SEC has selected and recognized Mt. Pleasant Elementary School District as the Responsible Local Agency (RLA) and the Santa Clara County Office of Education as the Administrative Unit (AU) for the SELPA. The selection of the RLA and AU and all decisions related to the AU and RLA are made through the SEC in accordance with the Brown Act.

The AU shall be responsible for the receipt and distribution and monitoring of federal and state special education funds to the South East SELPA pursuant to state and federal law as directed by the SEC and in accordance with the SELPA Annual Budget Plan and SELPA Budget Allocation Plan.

The RLA shall be responsible for performing tasks related to the provision of administrative support, including establishing and maintaining an office for SELPA staff and employment of SELPA staff to coordinate the implementation of the local plan.

9. Describe the contractual agreements and the SELPA's system for determining the responsibility of participating agency for the education of each student with special needs residing within the geographical area served by the plan: [EC 56195.7. EC 56195.1(b)(c)]

Local educational agencies (LEAs) are responsible for the students ages 3 to 22 within the geographical area consistent with California education code. LEAs may enter into additional contractual agreements with other LEAs in order to meet the requirements of state and federal law and ensure a full continuum of placements within the SELPA. Contractual agreements cannot supersede state and federal law. Each district of special education accountability maintains responsibility for students within their jurisdiction.

The South East Consortium SELPA maintains interagency agreements with the following agencies:

- Santa Clara County Office of Education, Santa Clara SELPAs and San Andreas Regional Center
- Santa Clara County Office of Education, Santa Clara SELPAs and California Children's Service

Copies of these agreements are maintained at the SELPA Office.

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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 LEA governing boards designate authority to the superintendent of their respective LEA and the SEC Board to develop and approve SELPA-wide policies and procedures, including the Annual Budget and Service plans, consistent with the process described in the Local Plan.

The governing boards of the member LEAs are responsible for ensuring the coordination and implementation of the local plan, including that all SELPA approved policies and procedures are implemented within their respective structures.

- 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)]

Superintendents of the member LEAs in the South East Consortium SELPA, including the County Superintendent of Schools as a member LEA, are responsible for reviewing, updating and adopting policies for special education programs and services including ensuring they are implemented within their respective LEA. Each Superintendent is responsible for implementation of all components of the Local Plan in their respective LEA.

- 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)]

LEA administrators of Special Education, including the Santa Clara County Office of Education's administrators of Special Education, are responsible for the coordination of the administration of the local plan within their individual LEA. The LEA/COE Special Education Administrators are responsible for planning, organizing, coordinating, directing and managing special education programs and services related to the local plan implementation within their respective LEA. They are also responsible for providing leadership on legislative issues impacting the programs operated within the SELPA.

They are responsible for exercising authority over the programs they directly maintain within their LEA and ensuring they are consistent with the policies and procedures described in the local plan, including developing, implementing, evaluating, and maintaining or improving special education programs and services within the LEA. Responsibilities also include establishing, modifying, and implementing procedures for the operations of the local plan, including guidelines and procedures to ensure that students with disabilities have access to

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appropriate programs and services regardless of their district of special education accountability, ensuring a full continuum of placement is available within the SELPA.

As part of the administration of the Local Plan, they are responsible for gathering, interpreting, and reporting special education program data and annual state performance plan indicators, regarding current program operations and effectiveness and cooperating with other LEAs within the SELPA pertaining to the implementation, administration and operation of the local plan. They additionally are responsible for recommending allocation of resources within the SELPA in accordance with the local plan and providing input to the SELPA Budget Allocation Plan to ensure resources are equitably distributed within the SELPA.

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: The SELPA Director is employed by the RLA to administer the local plan. The Executive Council shall recommend and approve the hiring of the SELPA Director. The SELPA Director is evaluated annually by the Executive Council Chair with input from the members of the Executive Council and District Special Education Administrators. Disciplinary actions are handled by the SEC in accordance with federal, state and equal employment law. The SELPA administrator supports the RLA to oversee the recruitment, supervision and evaluation of SELPA staff in accordance with the RLA/AU's personnel practices under direction of the SEC.

Role of AU: The SELPA AU does not have a role in the recruitment, supervision and evaluation of SELPA staff. The County Superintendent of Schools is a voting member of the SEC for decisions related to the hiring, supervision, evaluation, and discipline of the SELPA administrator should the SEC be required to be involved.

Role of SELPA Administrator:

The SELPA administrator oversees the recruitment, supervision and evaluation of SELPA staff in accordance with the RLA's personnel practices.

Role of individual LEAs:

Individual LEAs are involved in matters related to the hiring, supervision, evaluation and discipline of the SELPA administrator and staff employed by the RLA, in accordance with the personnel practices of the RLA, through their participation in the SEC.

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

Role of the RLA: The RLA receives federal and state funds from the AU to distribute to LEAs based on the SELPA Budget Allocation Plan that is approved annually by the SEC. An agreed upon amount is distributed to the RLA based on the provision of administrative and fiscal services, employment of the SELPA staff, and housing the SELPA office.

Role of AU: The AU distributes federal and state funds to the RLA. The AU receives a small portion of the PS/RS revenue for operational costs.

Role of SELPA Administrator: The SELPA Administrator receives input from member LEAs through the SEC and collaborative work groups with Special Education Directors and fiscal representatives to develop the Budget Allocation Plan annually based on the needs and priorities of the member LEAs. The Budget Allocation Plan may be revised with approval from the SEC.

Role of individual LEAs: State and Federal funds are allocated to the member LEAs for the operation of special education programs pursuant to the budget allocation plan that is approved by SEC. The Budget Allocation Plan outlines the fund distribution model pursuant to applicable state and federal regulations.

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

Role of the RLA: The role of the RLA in the operation of special education programs is to hire and employ the SELPA staff necessary to support LEAs in the operation of special education programs.

Role of AU: The SCCOE operates specialized programs on behalf of member LEAs. Special education programs operated by the SCCOE include infant and toddler services under Early Start, Early Childhood Education programs, K-12 Programs, including transition age programming. These services and programs are operated under the SCCOE based on local agreements maintained at the SELPA office.

Role of SELPA Administrator: The SELPA Administrator operates the special regional or prioritized special education programs as determined by the Superintendents' Executive Council. The SELPA Administrator and designees provide technical assistance to individual LEAs as needed to assist in the operation and determination of programs.

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Role of individual LEAs: Each member LEA is responsible for administering and delivering special education programs, placements and related services to students with disabilities in a manner that is in accordance with the SELPA local plan and in accordance with state and federal guidelines. In the event any member LEA requires specialized programs beyond those offered within their LEA boundaries, member LEAs may refer for program, placement or services to other member LEAs of the SELPA, including the SCCOE programs, or to appropriate special education programs operated by Non-Public Schools, Non-Public Agencies or other educational service providers as deemed appropriate by the LEA. Individual LEAs may be the operators of regional special education programs.

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

Role of AU: Consistent with education code, the County Superintendent of Schools or designee will review any fiscal audits.

Role of RLA:

The role of the RLA/AU in monitoring the appropriate use of federal, state, and local funds allocated for special education programs is to monitor through the review of expenditure reports, special education maintenance of effort reports, or any other documents to ensure appropriate use of these funds.

Role of SELPA Administrator:

The role of the SELPA Administrator, or designee, in the monitoring the appropriate use of federal, state, and local funds allocated for special education programs is to review expenditure reports, special education maintenance of effort reports, and any other necessary documents to review for appropriate use of the funds and take any corrective steps that may be necessary. The SELPA Administrator, or designee, may provide technical assistance to individual LEAs as appropriate. Additionally, The SELPA Administrator will ensure that the Superintendents Executive Council holds a public hearing on an annual basis to present the annual budget plan.

Role of individual LEAs:

The role of the individual LEAs in monitoring the appropriate use of federal, state, and local funds allocated for special education programs is to monitor the appropriate use of federal, state and local funds allocated for special education programs. LEAs utilize their own procedures, including reviews by auditors as required under California Education Code. Each LEA in the SELPA 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) and assures the maintenance of fiscal support in compliance with

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state and federal mandates. Each LEA understands that Part B funds will not be used to reduce the level of support beyond the amount permitted under federal law and regulations. LEAs will conform to the annual reporting procedures for state and federal funds.

12. Describe how specialized equipment and services will be distributed within the SELPA in a manner that minimizes the necessity to serve students in isolated sites and maximizes the opportunities to serve students in the least restrictive environments: [EC 56206]

Determination of expenditures begins at the Individual Education Program (IEP) level where the IEP team agrees there is a need for special equipment, materials and/or services to provide access to the curriculum and support the learning of an eligible student. The district special education director reviews this identified need. The requesting LEA will research the cost and location of the requested item. Upon receipt of the completed packet, the South East SELPA

The South East SELPA Director or designee will review all requests. Information about approved low incidence equipment or materials will be provided to the LEA Special Education Directors. Efforts will be made to support opportunities that serve pupils in the least restrictive environment by using the appropriate equipment and materials. The SELPA AU Office will maintain the Low Incidence Equipment and Services inventory for students attending SCCOE operated programs, and the South East SELPA Office maintains inventory lists for items purchased through the RLA and South East SELPA Office. Specialized equipment may be transferred to another educational agency if the pupil no longer needs the or transfers out of the SELPA. No specialized equipment shall be transferred out of the South East SELPA without the approval of the South East SELPA Director. The South East SELPA Low Incidence Procedures and Guidelines maintained at the SELPA office provide additional information about the processes, requirements, and parameters for specialized equipment access.

Low Incidence funds are distributed from the South East SELPA Office to member LEAs based on the Budget Allocation Plan to purchase specialized equipment and services for students with low incidence disabilities to ensure that each student who demonstrates need receives these supports in their locally determined environment. Equipment purchased with Low Incidence funds becomes the property of the State of California and will follow students, as needed, if they move to another district within the SELPA.

Funds for low incidence equipment, materials, and services are restricted to support of students in the following disability categories: hard-of-hearing, deaf, visual disability, severely orthopedically impaired, and deaf-blind

Policies, Procedures, and Programs

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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:

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

SELPA Fiscal Year **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:

☒ Yes ☐ No**5. Least Restrictive Environment: USC Section 1412(a)(5); EC 56205(a)(5)**Policy/Procedure Number:

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Document Title:

Document Location: https://www.mpesd.org/Page/4951 and South East SELPA Office located at 3434 Marten Avenue San Jose"/>

"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: https://www.mpesd.org/Page/4951 and South East SELPA Office located at 3434 Marten Avenue San Jose"/>

"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: https://www.mpesd.org/Page/4951 and South East SELPA Office located at 3434 Marten Avenue San Jose"/>

"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

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☐ No

8. Confidentiality: 20 USC Section 1412(a)(8); EC 56205(a)(8)

Policy/Procedure Number:

Document Title:

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"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: https://www.mpesd.org/Page/4951 and South East SELPA Office located at 3434 Marten Avenue San Jose"/>

"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:

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Document Location:

Online at: <https://www.mpesd.org/Page/4951> and South East SELPA
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"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:

Online at: <https://www.mpesd.org/Page/4951> and South East SELPA
Office located at 3434 Marten Avenue San Jose

"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:

Online at: <https://www.mpesd.org/Page/4951> and South East SELPA
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"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:

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☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location: https://www.mpesd.org/Page/4951 and South East SELPA Office located at 3434 Marten Avenue San Jose"/>

"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: https://www.mpesd.org/Page/4951 and South East SELPA Office located at 3434 Marten Avenue San Jose"/>

"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:

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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

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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:

Document Location:

"The LEA assures that data on suspension and expulsion rates will be provided in a manner

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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:

Current Local Plan

Document Location:

Online at: <https://www.mpesd.org/Page/4951> and South East SELPA Office located at 3434 Marten Avenue San Jose

Description:

Role of the AU: The Administrative Unit shares responsibility with the SELPA to coordinate the administration of the local plan. The Administrative Unit is responsible for the receipt and distribution of special education funds to the SELPA account for the operation of special programs and services based on the SELPA Budget Allocation Plan. The AU has established an MOU with the designated RLA currently Mt. Pleasant Elementary District to employ SELPA staff to coordinate and implement the local plan in partnership with the AU.

Role of the RLA: The RLA employs SELPA staff and assists with supporting the SELPA in the implementation of the Local Plan.

Role of the Administrator of the SELPA: The SELPA Administrator will ensure that the local plan is implemented and will make recommendations to the South East SELPA Superintendents' Executive Council when revisions are needed as well as facilitate the development and approval of SELPA policies and procedures necessary to implement the local plan.

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<p><u>Role of the individual LEAs:</u> The individual LEAs ensure a full continuum of services are available in order to provide a free and appropriate public education to all students with disabilities for whom they are responsible. The individual LEAs, through their representative to the SEC will approve any policies and procedures needed to implement the local plan. Each LEA, through their Superintendent or designee, will approve and implement the Local Plan, as well as policies, procedures and practices necessary to implement the plan. Each Special Education director or designee provides input to the plan, including recommendations for revisions and modifications to the development of the plan and its implementation within each LEA.</p>
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2. Coordinated system of identification and assessment:

Document Title:

Current Local Plan

Document Location:

Online at: https://www.mpesd.org/Page/4951 and South East SELPA Office located at 3434 Marten Avenue San Jose

Description:

<p>Role of the AU: The Administrative Unit will ensure that child find activities are completed and collaborate with the SELPA office who will have staff employed by the designated RLA who can assist with child find activities with and on behalf of member LEAs.</p> <p>Role of the RLA: The RLA employs SELPA staff who coordinate a system of identification and assessment.</p> <p>Role of the SELPA Administrator: The SELPA Administrator will ensure each LEA conducts child find activities through regular monitoring of each LEA's data. The SELPA will also provide targeted and intensive support to LEAs as needed to assist them in meeting their Child Find obligation. The SELPA Administrator, or designee, will facilitate the annual consultation meeting to the private schools and provide template letters for LEAs. The SELPA will also participate in child find activities by establishing policies and procedures for the member LEAs and ensuring appropriate interagency agreements are in place if appropriate and as required by California Education Code. The SELPA Administrator, or designee, will serve on committees as interagency agreements are being reviewed, revised, or developed, and provide technical assistance and dispute resolution as needed. The SELPA Administrator, or designee, will also provide guidance to</p>
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parents, as needed.

Role of Individual LEAs: Consistent with education code, each LEA is responsible for identifying and assessing all students for whom they are the district of special education accountability. They are also responsible for conducting child find activities and implementing SELPA and LEA policies and procedures. The LEAs will also provide guidance to parents, staff, and community members. Each individual LEA is responsible for implementing approved interagency agreements, as appropriate.

3. Coordinated system of procedural safeguards:

Document Title:

Current Local Plan

Document Location:

Online at: <https://www.mpsed.org/Page/4951> and South East SELPA Office located at 3434 Marten Avenue San Jose

Description:

Role of the AU: The Administrative Unit will monitor and accept reports from the SELPA office who shall assure that students with disabilities and their parents or guardians are guaranteed procedural safeguards.

Role of the RLA: The RLA employs SELPA staff who assist in the coordinated system of procedural safeguards.

Role of the Administrator of the SELPA: The SELPA 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 will also provide parents with a copy of their procedural safeguards upon request and will maintain a copy on their website. As needed, the SELPA may provide alternate dispute resolution with districts as requested by parents or other IEP team members. The SELPA assists parents with filing complaints with the Office of Administrative Hearings when requested.

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

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Hearings when requested.

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

Document Title:

Current Local Plan

Document Location:

Online at: https://www.mpsed.org/Page/4951 and South East SELPA Office located at 3434 Marten Avenue San Jose

Description:

<p>Role of the AU: The Administrative Unit may collaborate with and provide logistical support services to the SELPA Office when necessary to assist with staff development and parent or guardian education activities and shall encourage countywide offerings and collaboration whenever appropriate.</p>
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<p>Role of the RLA: The RLA employs SELPA staff who assist in the coordinated system of staff development and parents and guardian education.</p>

<p>Role of the Administrator of the SELPA: On an annual basis input is collected from the Special Education Directors from member LEAs to determine the staff development needs that the SELPA is requested to provide. On an annual basis, the Community Advisory Committee will provide input on the parent and guardian education needs. The SELPA Administrator and designees will provide needed training and supports as requested, or determined appropriate, for each LEA.</p>
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<p>Role of the individual LEAs: LEAs will determine their staff development and parent and guardian education, based on their local needs. They may seek technical assistance or input from the SELPA.</p>
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5. Coordinated system of curriculum development and alignment with the core curriculum:

Document Title:

Current Local Plan

Document Location:

Online at: https://www.mpsed.org/Page/4951 and South East SELPA Office located at 3434 Marten Avenue San Jose

Role of the AU: The Administrative Unit will assist with countywide

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Description:

technical assistance and guidance as needed and as determined by the Superintendents Executive Council. .

Role of the RLA: The RLA employs SELPA staff who assist in the coordinated system of curriculum development with the core curriculum.

Role of the Administrator of the SELPA: The SELPA Administrator, or designee, will provide technical assistance and staff development on curriculum development and alignment with the common core, as determined appropriate.

Role of the individual LEAs: LEAs will determine their needs for curriculum development and alignment with the core curriculum, based on their local needs. They ensure that each student with a disability has full access to the required core curriculum, any alternative curriculum and textbooks, and supplementary curriculum and textbooks as appropriate. LEAs additionally ensure appropriate instructional materials are provided to blind students or other students with print disabilities, in an appropriate format and manner.

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

Document Title:

Current Local Plan

Document Location:

Online at: <https://www.mpesd.org/Page/4951> and South East SELPA Office located at 3434 Marten Avenue San Jose

Role of the AU: The Administrative Unit will monitor and offer technical assistance as determined by the Superintendents Executive Council.

Role of the RLA: The SELPA Office staff employed by the RLA designated as Mt. Pleasant elementary will assist in conducting internal program review, evaluation of effectiveness of the local plan, and implementation of the local plan accountability system.

Role of the Administrator of the SELPA: The SELPA Administrator or designee will facilitate the review of the Annual Budget and Services

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Plans as well as each LEAs State Performance Plan Indicators (SPPIs) and will allocate SELPA resources to conduct SELPA internal program reviews, evaluation of the effectiveness of the local plan, and implementation of the local plan accountability system, as determined by the SELPA Superintendents' Executive Council.

The SELPA Administrator will participate in reviews and provide necessary data readily available from the SELPA related to countywide needs when requested by the as determined by the Superintendents Executive Council.

Role of the individual LEAs: Individual LEAs review and monitor Annual Performance Reports including the SPPIs, the California School Dashboard, and other data sources to ensure students with disabilities receive a free and appropriate public education. Individual LEAs also engage in monitoring activities as required by the COE.

7. Coordinated system of data collection and management:

Document Title:

Current Local Plan

Document Location:

Online at: <https://www.mpsed.org/Page/4951> and South East SELPA Office located at 3434 Marten Avenue San Jose

Description:

Role of the AU: The AU reviews and submits to state and federal agencies any required data reports that are collected and prepared by SELPA staff as determined by the Superintendents' Executive Council.

Role of the RLA: The RLA may assist the AU and/or SELPA staff to collect and prepare required data reports and may submit requested reports to the AU for review.

Role of the Administrator of the SELPA: 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.

Role of the individual LEAs: The LEAs are responsible for data entry,

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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

8. Coordination of interagency agreements:

Document Title:

Current Local Plan

Document Location:

Online at: <https://www.mpesd.org/Page/4951> and South East SELPA Office located at 3434 Marten Avenue San Jose

Description:

Role of the AU: The Administrative Unit and the Administrative Unit Council will coordinate interagency agreements. The SELPA staff will collaborate and implement the interagency agreements.

Role of the RLA: The RLA hires the SELPA staff who collaborate and implement the interagency agreements.

Role of the Administrator of the SELPA: The SELPA Administrator, or designee, will serve on committees as interagency agreements are being reviewed, revised, or developed. The SELPA Administrator will ensure that interagency agreements are in place as required by California Education Code, and provide technical assistance and dispute resolution as needed.

Role of the individual LEAs: Through their representative to the Superintendents' Council, the LEAs will approve and implement interagency agreements as appropriate. Each LEA is responsible for implementing approved interagency agreements, as appropriate.

9. Coordination of services to medical facilities:

Document Title:

Current Local Plan

Document Location:

Online at: <https://www.mpesd.org/Page/4951> and South East SELPA Office located at 3434 Marten Avenue San Jose

Role of the RLA/AU: The Administrative Unit has an MOU with the SELPA Office who works on the coordination of services to medical

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Description:

facilities.

Role of the RLA/AU: The RLA employs the SELPA staff who work on the coordination of services to medical facilities.

Role of the Administrator of the SELPA: The SELPA will facilitate the coordination of these services by the designated LEAs.

Role of the individual LEAs: Individuals with exceptional needs who are placed in a public hospital, state licensed children's hospital, psychiatric hospital, proprietary hospital, or a health facility for medical purposes are the educational responsibility of the local educational agency in which the hospital or facility is located.

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

Document Title:

Current Local Plan

Document Location:

Online at: https://www.mpsed.org/Page/4951 and South East SELPA Office located at 3434 Marten Avenue San Jose

Description:

Role of the AU: The Administrative Unit has an MOU with the SELPA which provides for the SELPA staff to work on the coordination of services to LCIs and Foster Family Homes.

Role of the RLA: The RLA employs the SELPA staff who work on the coordination of services to LCIs and Foster Family Homes.

Role of the Administrator of the SELPA: The SELPA will facilitate the coordination of these services by the designated LEAs and provide technical assistance and support in the coordination of services as appropriate.

Role of the individual LEAs: Special education services for students with disabilities residing in foster family homes or licensed children's institutions shall be the responsibility of the district in which the foster family home or the licensed children's institution is located, unless based on education code and local agreement there is another district of special education accountability which would be responsible.

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

Document Title:	Current Local Plan
Document Location:	Online at: https://www.mpesd.org/Page/4951 and South East SELPA Office located at 3434 Marten Avenue San Jose
Description:	<p>Role of the AU: The Administrative Unit will review and submit required reports to state and federal agencies as determined by the Superintendents' Executive Council.</p> <p>Role of the RLA: The RLA employs the SELPA staff who prepare the required reports.</p> <p>Role of the Administrator of the SELPA: The SELPA Administrator will ensure timely transmission of required reports and provide technical assistance to LEAs in completing those reports.</p> <p>Role of the individual LEAs: Individual LEAs will gather, interpret and report special education program data regarding the programs they operate and submit required data in order for the SELPA to submit timely reports.</p>

12. Fiscal and logistical support of the CAC:

Document Title:	Current Local Plan
Document Location:	Online at: https://www.mpesd.org/Page/4951 and South East SELPA Office located at 3434 Marten Avenue San Jose
Description:	<p>Role of the AU: The Administrative Unit may provide technical assistance to the SELPA office who may provide fiscal and logistical support to the CAC.</p> <p>Role of the RLA: The RLA may provide technical assistance to the SELPA office who may provide fiscal and logistical support to the CAC.</p> <p>Role of the Administrator of the SELPA: The SELPA will provide fiscal and logistical support for CAC meetings, events, and trainings that are determined priority areas by the Superintendents' Executive Council.</p>

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Role of the individual LEAs: The LEA superintendents through the Superintendents' Council will ensure the SELPA has sufficient resources to provide fiscal and logistical support for the CAC. LEA Directors shall facilitate communication between their CAC representatives from the LEA.



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

Document Title: Current Local Plan

Document Location: Online at: <https://www.mpesd.org/Page/4951> and South East SELPA Office located at 3434 Marten Avenue San Jose

Description:

Role of the RLA/AU: The AU will provide technical assistance as needed.

Role of the RLA/AU: The RLA employs SELPA staff who support the coordination of transportation services for individuals with exceptional needs.

Role of the Administrator of the SELPA: The SELPA will provide technical assistance as requested.

Role of the individual LEAs: Each member LEA is responsible for providing transportation for their students with disabilities as determined by their IEP teams.

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

Document Title: Current Local Plan

Document Location: Online at: <https://www.mpesd.org/Page/4951> and South East SELPA Office located at 3434 Marten Avenue San Jose

Role of the AU: The AU will provide technical assistance as needed.

Role of the RLA/AU: The RLA employs SELPA staff who may provide technical assistance to support the coordination of career and vocational education and transition services.

Role of the Administrator of the SELPA: The SELPA Administrator

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Description:

will provide technical assistance and staff development as needed. The SELPA Administrator will ensure appropriate interagency agreements are in place and facilitate connection to agencies, as appropriate.

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

15. Assurance of full educational opportunity:

Document Title:

Current Local Plan

Document Location:

Online at: <https://www.mpesd.org/Page/4951> and South East SELPA Office located at 3434 Marten Avenue San Jose

Description:

Role of the AU: The Administrative Unit shares responsibility with the member LEAs and the SELPA for assuring that students with disabilities have access to full educational opportunity and assuring placement in the least restrictive environment.

Role of the RLA: The RLA employs SELPA staff who assure that students with disabilities have access to full educational opportunity and assuring placement in the least restrictive environment.

Role of the Administrator of the SELPA: Through approval of the Annual Services Plan the SELPA 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, through their representative to the Superintendents' Executive Council, will determine the regional programs needed to meet the needs of the students with disabilities within the SELPA. Additionally, each LEA is responsible for providing a full continuum of services.

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

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education funding.

Document Title: Current Local Plan

Document Location: Online at: <https://www.mpesd.org/Page/4951> and South East SELPA Office located at 3434 Marten Avenue San Jose

Description:

Role of the AU: The Administrative Unit assists in the allocation and distribution of state and federal funds to the SELPA and/or SELPA Local Education Agency members.

Role of the RLA/AU: The RLA assists in the allocation and distribution of state and federal funds to the SELPA and/or SELPA Local Education Agency members.

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

Role of the individual LEAs: Each LEA through their representative to the Superintendents' Council, determines and approves the 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: Current Local Plan

Document Location: Online at: <https://www.mpesd.org/Page/4951> and South East SELPA Office located at 3434 Marten Avenue San Jose

Role of the AU: The AU may provide technical assistance as needed and determined by the Superintendents Executive Council.

Role of the RLA: The RLA employs the SELPA staff who provide direct instructional program support in accordance with the *EC* Section 56368.

Role of the Administrator of the SELPA: The SELPA Administrator, or

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Description:

designee, will evaluate, and discipline the program specialists who are employed by the SELPA, in accordance with the policies and procedures of the RLA. The SELPA Administrator provides technical support needed for the implementation of the duties of the SELPA Program Specialists. The SELPA Administrator will annually survey the LEA Directors to ensure SELPA-wide needs are addressed through the SELPA Program Specialists. Superintendents' Executive Council.

Role of the individual LEAs: Individual LEAs, through their representative to the Superintendents' Executive Council, determine annually the priorities of the SELPA Program Specialists required to provide the functions in EC 56836 to serve SELPA-wide needs. The SELPA program specialists shall be available to all students with disabilities, their families, and LEA staff. They shall work in a cooperative manner planning activities to meet the needs of the students with disabilities within the SELPA. They help to coordinate the delivery of services through the provision of professional development aligned to the priorities of the SELPA, as determined by the individual LEAs and through their representative to the Superintendents' Executive Council.

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:

Current Local Plan

Document Location:

Online at: <https://www.mpesd.org/Page/4951> and South East SELPA Office located at 3434 Marten Avenue San Jose

Description:

Early childhood special education services are provided for all eligible infants, toddlers, and preschool aged student per each child's IEP or IFSP. There is an interagency agreement between the member LEAs in each of the SELPAs in the Santa Clara County, the San Andreas Regional Center, and the Santa Clara County Office of Education for students birth to three.

For students ages three through five, each LEA is responsible for providing services to eligible students for whom they are the district of special education accountability. This can be accomplished through

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district programs, regional programs, and/or intra/ inter-SELPA and district transfers.

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: Current local plan

Document Location: Online at: <https://www.mpesd.org/Page/4951> and South East SELPA Office located at 3434 Marten Avenue San Jose

Description: Members of the public, including parents or guardians of students with disabilities, may address questions or concerns to the governing boards of each LEA, the Superintendents' Executive Council, the LEA Special Education Administrators, the SELPA Administrator, and/or the CAC. Members are encouraged to start at the lowest level possible within the structure of the system.

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: Current Local Plan

Document Location: Online at: <https://www.mpesd.org/Page/4951> and South East SELPA Office located at 3434 Marten Avenue San Jose

Description: **Resolving Disputes**
In the event of a disagreement among local educational agencies or local education agencies and the Administrative Unit regarding the distribution of funds, responsibility for service provision, and/or governance activities, the disputing LEAs shall first attempt to arrive at a settlement. If the process fails, the parties may pursue a hearing on the issues and a resolution through a Resolution Council. The Resolution Council shall be composed of the following members:

1. The AU Council Chair
2. The AU Council Secretary
3. The Co-vice chair from NW SELPA
4. The Co-vice chair from SE SELPA
5. The NW SELPA Director

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6. The SE SELPA Director

7. A selected representative from the SELPA not represented by the current AU Council Chair

The Resolution Council shall hear the facts of the dispute and shall render a written decision on the matter, which shall be binding on all parties.

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:

Current Local Plan

Document Location:

Online at: <https://www.mpesd.org/Page/4951> and South East SELPA Office located at 3434 Marten Avenue San Jose

Description:

The SELPA LEAs provides a full continuum of services to students identified with disabilities, including students in charter schools, alternative education, and students who are not in residence but approved to attend the LEA. Services are provided through each of the member LEAs. The referral, assessment, and Individual Education Program (IEP) process is utilized to identify the needs of each individual student with disabilities.

The LEA ensures that supplemental aids and services are provided in the Least Restrictive Environment (LRE). A student shall be referred for special educational instruction and services only after the resources of the regular education program have been considered and where appropriate, utilized. These resources include but are not limited to response to intervention models, multi- tiered systems of support, students success/support team interventions, and early literacy and remedial programs.

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:

Current Local Plan

Online at: <https://www.mpesd.org/Page/4951> and South East SELPA

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Document Location:	Office located at 3434 Marten Avenue San Jose
Description:	<p>Each LEA, or SELPA on behalf of the LEA, shall oversee and evaluate placements in nonpublic, nonsectarian school placements for students. The LEA/SELPA shall ensure that the students' IEPs are being implemented. Each LEA shall ensure the following:</p> <ul style="list-style-type: none"> • Annually verify the NPS has conducted training pursuant to EC 56366.1 (a)(4) • Conduct one onsite visit to the NPS prior to placement of a pupil if the LEA does not have any pupils enrolled at the school at the time of placement • Conduct one onsite monitoring visit each school year that the LEA has a pupil attending and which it maintains a master contract. <p>The monitoring visit shall include:</p> <ul style="list-style-type: none"> • A review of services provided to the pupil through the individual service agreement between the LEA and NPS • A review of progress the pupil is making toward the goals in the IEP • A review of progress the pupil is making toward the goals set forth in the pupil's behavior intervention plan, if included in the IEP • Observation of the pupil during instruction • A walkthrough of the facility <p>The onsite monitoring visit shall be documented in a report to be submitted to the COE within 60 calendar days of the visit The IEP team shall consider the onsite monitoring visit report when evaluating whether the student is making appropriate educational progress at the NPS.</p>

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*)

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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:	Current Local Plan and South East SELPA Policy and Procedures Manual
Document Location:	Online at: https://www.mpesd.org/Page/4951 and South East SELPA Office located at 3434 Marten Avenue San Jose
Description:	The SELPA may provide technical support to any districts identified as the DOR for students age 18 to 21 who are incarcerated in a county jail and remaining eligible for special education to assist in meeting their obligation. The SELPA may facilitate collaboration with the county jails as requested.