

PROPOSED Revisions to the SELPA Local Plan Section B (based on input from CDE FMTA following preliminary review)

PROPOSED REVISIONS IN RED:

#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: [EC56195.1(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, also 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.

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. ~~who serves as the employer of the SELPA Director and staff and~~. The RLA serves as the employer of the South East SELPA Director and 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.

PROPOSED Revisions to the SELPA Local Plan Section B (based on input from CDE FMTA following preliminary review)

#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 South East SELPA Community Advisory Committee (CAC) is composed of parents of children with disabilities enrolled in public or private schools, parents of other pupils enrolled in school, pupils and adults with disabilities within the South East SELPA, regular and special educators, other school personnel within the South East SELPA, representatives of other public and nonpublic agencies, and individuals interested in the education of children with disabilities. They serve in an advisory capacity to the South East SELPA and as liaison to the SELPA Director and relevant collaborative work groups. 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
- 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. ~~In addition to the above duties, it also encourages community involvement in the development and review of the Local Plan. The responsibilities of the Community Advisory Committee shall include all areas cited in Education Code 56194. CAC Bylaws are kept in the SELPA office.~~

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

PROPOSED Revisions to the SELPA Local Plan Section B (based on input from CDE FMTA following preliminary review)

#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.

Section 4 – SELPA Services

Item 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)

~~Policy and procedure regarding provision of FAPE and IDEA services to eligible adults in county jail is included in the SELPA procedural handbook.~~

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.

14.31

Provision of Free Appropriate Public Education (FAPE) for Eligible Incarcerated Adults
Ages 18-21 in County Jails

PROPOSED Revisions to the SELPA Local Plan Section B (based on input from CDE FMTA following preliminary review)

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

The Administrative 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.

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.

PROPOSED Revisions to the SELPA Local Plan Section B (based on input from CDE FMTA following preliminary review)

- 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 ~~the AU Council~~. **A Resolution Council**. The **Resolution Council** ~~AU 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 Representative Council shall hear the facts of the dispute and shall render a written decision on the matter, which shall be binding on all parties.

PROPOSED Revisions to the SELPA Local Plan Section B (based on input from CDE FMTA following preliminary review)