Special Education Local Plan Area (SELPA) Local Plan

SELPA Merced County SELPA **Fiscal Year** 2024-25

LOCAL PLAN

Section B: Governance and Administration

SPECIAL EDUCATION LOCAL PLAN AREA

California Department of Education

Special Education Division

CDE Form Version June 2022

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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 Merced County Special Education Local Plan Area (SELPA) is a multi-district SELPA comprised of twenty participating Local Education Agencies (LEAs) and one County Office of Education (COE) joined together to provide for the coordinated delivery of programs and services to students with special needs who reside in the area. The twenty districts and county office include: Atwater Elementary School District, Ballico-Cressey Elementary School District, Delhi Unified School District, Dos Palos-Oro Loma Joint Unified School District, El Nido Elementary School District, Gustine Unified School District, Hilmar Unified School District, Le Grand Elementary School District, Le Grand High School District, Livingston Union Elementary School District, Los Banos Unified School District, McSwain Elementary School District, Merced Elementary School District, Merced River Union Elementary School District, Merced Union High School District, Plainsburg Elementary School District, Planada School, District, Snelling-Merced Falls Union Elementary School District, Weaver Union School District, Winton School District and the Merced County Office of Education. The Merced County Office of Education is designated as the Administrative Unit (AU) as referred in Education Code 56205(a) (12) (D) (ii) for the SELPA as referred in Education Code 56030.

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

The Merced County Special Education Local Plan area recognizes the importance of an efficient and economical administrative structure. The responsibility of the administrative and staff positions is to assure that programs are available to serve the education needs of all of the special education students within the boundaries of Merced County and charter schools participating in the Merced County SELPA

Each of the board and administrative positions are related to the functioning of the special education programs within the Merced County SELPA. The following describes the various components within the administrative structure.

Governance of the Merced County SELPA is composed of the Board of Directors (BOD), the Executive Committee (EC), the Special Education Advisory Committee (SEAC), and the Special Education Community Advisory Committee (CAC). The governance structure of the SELPA is established by agreement among the Superintendents of the member LEAs. The governing body of the Merced County SELPA is the Board of

Directors. The SELPA Administrator may convene additional advisory committees as needed. The SELPA Administrator is responsible for coordination of the SELPA and implementation of the Local Plan. For the purpose of the Merced County SELPA Local Plan, the term Administrative Unit (AU) will be used.

GOVERNANCE ***(Education Code 56205)***
Each LEA will defend and indemnify the AU against, and will hold and save AU, its officers, agents, and employees harmless from any and all actions, claims, damages to persons or property, penalties, obligations, or liabilities that may be asserted or claimed by any person, firm, entity, corporation, political subdivisions, or any other organization arising out of the operation or maintenance or other activities of the LEA or its agents, employees, or independent contractors under this agreement.

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)]

FUNCTIONS OF THE AU/RLA *(Education Code 56195, 56195.1(b)(3)(c)(2) 56205 (a)(12)(D)(ii), 56205(a)(12) (D)(ii)(IV)*
The Merced County Office of Education is designated as the Administrative Unit (AU) also known as the Responsible Local Agency (RLA) for the Merced County SELPA. It shall be responsible for functions such as, but not limited to:
1. The AU Superintendent shall serve as a member of the Board of Directors.
2. Receipt and distribution of special education funds to district accounts for the operation of special education programs and services.
3. Receipt and distribution of federal and state special education funds per the SELPA allocation plan.
4. The employment of staff in accordance with direction from the Board of Directors.
5. Establish a separate account for SELPA use. All SELPA revenues including earned interest shall be deposited in the SELPA fund as designated by the SELPA Administrator.
6. The AU shall not access SELPA funds or accounts for transfer, payment, deduction, or any other activity without specific prior written authorization of the SELPA Administrator.
7. Employ classified personnel in support of SELPA certificated staff.
8. Establish appropriate record keeping procedures to be followed by each LEA for the purpose of maintaining accurate fiscal and accounting records in accordance with state and federal requirements and submit required reports to the appropriate authorities.
9. Provide administrative and departmental support, including purchasing, human resources, information technology, operations, and maintenance.

BOARD OF DIRECTORS *(Education Code 56205(a)(12) (D)(i), 56195.1, 56205(b))*
The Board of Directors is composed of the Superintendents from each of the twenty LEAs and county office within the SELPA. Superintendents may participate via telephone or video conferencing, pursuant to the provisions of the Brown Act, if unable to attend a meeting. All Board of Directors members have one vote and decisions will be made by a majority vote, except in circumstances where state or federal mandates require a unanimous vote. A quorum shall consist of eleven members in attendance. The AU Superintendent shall serve as chairperson. The SELPA Director serves as Secretary to the Board of Directors. The SELPA Director will prepare each agenda, with consultation from the chairperson, and all required materials.

The Board of Directors may meet six times per year. All meetings of the Board shall be noticed and conducted in compliance with the Brown Act and other applicable laws. Meeting notices shall be sent to all

Merced County SELPA Superintendents and others as requested. Members of the public, including parents or guardians of individuals with exceptional needs who are receiving services under the Local Plan, may address questions or concerns to the Board of Directors at a regularly scheduled meeting.

The Superintendents of each participating LEA shall be responsible for special education programs operated by the LEA and for implementing all requirements of the Local Plan.

A charter school that operates as its own LEA for special education purposes shall participate in the governance of the SELPA in the same manner as all LEAs.

Board of Directors responsibilities shall include, but not limited to:

1. May provide feedback to the County Office Superintendent on the evaluation of the SELPA Administrator.
2. Provide leadership to the SELPA regarding the development, revision, implementation, review of the Local Plan.
3. Take action to approve or deny annual budget and service plans at a public hearing scheduled at a Superintendents' Council meeting in compliance with all legal mandates.
4. Take action to approve or deny SELPA-wide policies, administrative regulations, procedures, resolutions, local inter-agency agreements, and guidelines for the management and implementation of special education programs and services within the SELPA. Each member shall assume responsibility for communication and presentation to their respective governing boards of the adopted policies and procedures.
5. Provide direction and approval of SELPA budgets and SELPA provided services.
6. Provide direction to the SELPA Administrator for regionalized programs and related specialist services.
7. Review, approve and monitor the allocation of federal, state, and local funds to LEAs. Approve revisions to the Allocation Plan as required.
8. Take action to approve or deny requests for program transfers.
9. Establish and promote a Community Advisory Committee (CAC); review and consider comments from the CAC.

EXECUTIVE COMMITTEE

Six District Superintendents, including two from large unified districts, three from high school and feeder districts grouped by ADA, and one from south county districts. The County Superintendent is a permanent member along with Merced City Elementary School District, Merced Union High School District, and Los Banos Unified School District. The rest of the District Superintendents serve on a two-year rotating term basis and are elected by the Board of Directors. The SELPA Administrator is included as secretary and facilitator of the EC.

SELPA ADMINISTRATOR

The fundamental role of the SELPA Administrator is to direct all SELPA staff, as well as provide leadership and facilitate the decision-making process. The SELPA Administrator's role includes the provision of information, specific services identified by the Board of Directors and Executive Committee, technical assistance, leadership, and arbitration.

The AU shall be responsible for the selection, direction, monitoring, discipline, and annual evaluation of the SELPA Administrator. The AU shall be assisted in the hiring and selection process by the Superintendent's' Council. It is understood that this includes responsibility for any allegations of violations arising under the federal and state equal employment law.

The SELPA Administrator is subject to the AU policies and procedures for day-to-day operations, but receives direction from, and is responsible to, the County Superintendent. The SELPA Administrator is

evaluated by the County Office Superintendent with input from District Superintendents.

The SELPA Administrator carries out the SELPA's obligation to assure equal access to all programs and services in the SELPA and provides advice to members of the public, including parents or guardians of individuals with exceptional needs who are receiving services under the Local Plan, on the availability of established due process and legal service options and procedures. In cooperation with the California Department of Education (CDE), the SELPA Administrator provides information to ensure that all pupils in special education receive appropriate due process and procedural safeguards as provided by law.

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

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

LOCAL EDUCATION AGENCY ADMINISTRATORS (Special Education Advisory Committee)
(Education Code 56205(a) (12)(D)(ii)(III))
LEA members of special education that constitute the Special Education Advisory Committee (SEAC) are responsible for the coordination of special education services and programs within their agencies and for the implementation of the Local Plan.

SEAC is responsible for providing a vehicle through which communication, consultation, and coordination of the services may occur.

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The committee functions as the body which develops procedures and processes by which the policy directions established by the BOD are implemented. Issues concerning governance and administration that cannot be resolved will be reviewed by the Executive Committee and referred to the Board of Directors for consideration and policy determination as appropriate. Its members consist of a special education administrator from each participating LEA. SEAC meetings are held no less than eight times per year.

The purpose of SEAC is to provide input to the SELPA Administrator regarding special education program/ service needs, policies and procedures, agreements and forms, as well as the planning and implementation of personnel development programs. Meetings of SEAC also provide participants with a venue for sharing ideas and best practices.

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 Merced County Office of Education is designated by the Merced County SELPA Local Plan for Special Education as a responsible local agency (RLA). Duties of the Merced County Office of Education as an RLA include:

Operation of special education services for small districts as well as service to students identified with severe handicapping conditions.

Operational decision making for programs operated by the Merced County Office of Education, such as setting the length of the school day and school year, internal business procedures and maintenance of student files, shall be the responsibility of the Merced County Office of Education.

Administrative and support services necessary to operate the special education programs of the Merced County Office of Education.

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.

NA

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

COMMUNITY ADVISORY COMMITTEE (CAC) (Education Code 56205(a)(12)(c)

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

The membership of CAC consists of the following: parents of individuals with exceptional needs enrolled in public or private schools, parents of other pupils enrolled in school, pupils and adults with disabilities, regular and special education teachers, other interested school personnel, representatives of other public and private agencies, and other persons concerned with the needs of individuals with exceptional needs. The majority of the CAC is composed of parents of individuals with exceptional needs.

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

The Local Plan is developed and updated cooperatively by a SELPA Local Plan Committee of representatives of special and general education teachers, administrators, representatives of charter schools selected by the groups they represent and with participation by the chair of the CAC to ensure adequate and effective participation and communication. Teacher participants shall be selected by their peers. General education and special education administrators shall be selected by the representative Superintendents. Directors of independent charter schools shall be requested to select a representative to serve on the SELPA Local Plan Committee. The SELPA Director or designee will serve as a committee chairperson.

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

FUNCTIONS OF THE AU/RLA (Education Code 56195, 56195.1(b)(3)(c)(2) 56205 (a)(12)(D)(ii), 56205(a)(12)(D)(ii)(IV)) Beginning the 2019-2020 school year, the Merced County Office of Education is designated as the Administrative Unit (AU) for the Merced County SELPA. It shall be responsible for functions such as, but not limited to:

1. The AU Superintendent shall serve as a member of the Board of Directors.
2. Receipt and distribution of special education funds to district accounts for the operation of special education programs and services.
3. Receipt and distribution of federal and state special education funds per the SELPA allocation plan.
4. The employment of staff in accordance with direction from the Board of Directors for functions the SELPA is required to provide.
5. Establish a separate account for SELPA use. All SELPA revenues including earned interest shall be deposited in the SELPA fund as designated by the SELPA Administrator.
6. The AU shall not access SELPA funds or accounts for transfer, payment, deduction, or any other activity without specific prior written authorization of the SELPA Administrator.
7. Employ classified personnel in support of SELPA certificated staff.
8. Establish appropriate record keeping procedures to be followed by each LEA for the purpose of maintaining accurate fiscal and accounting records in accordance with state and federal requirements and submit required reports to the appropriate authorities.
9. Provide administrative and departmental support, including purchasing, human resources, information technology, operations, and maintenance.
10. Identification and maintenance of appropriate office and working space for all SELPA staff.

METHOD OF DISTRIBUTION OF FEDERAL AND STATE FUNDS (Educ Code 56205(a) (12) (D)(ii), 56205 (b)(1) and 56195.7 (h))

All federal and state special education funds shall be allocated to the SELPA for distribution to LEAs according to an approved Special Education Funding Allocation Plan (FAP). The Board of Directors shall make any changes to the allocation of federal and state special education funds. The SELPA Director is responsible to ensure that the funds are distributed in accordance with the FAP.

RESPONSIBILITIES FOR DISTRIBUTION OF FEDERAL AND STATE FUNDS (Education Code 56195, 56195.1 (b)(3))

The Governing Boards of the LEAs participating in the SELPA have agreed that students with disabilities will be provided with free and appropriate special education services. The Board of Directors has been designated the authority to determine the distribution of all federal and state special education funds in order for LEA to carry out their responsibilities. The SELPA shall be responsible for the distribution of the funds according to an approved Special Education Funding Allocation Plan (FAP). The SELPA Director is responsible to ensure that the funds are distributed in accordance with the FAP. The FAP is incorporated on this Local Plan by reference.

MONITORING THE USE OF SPECIAL EDUCATION FUNDS (Education Code 56205(a)(12)(ii)(IV)

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

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

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

The SELPA Administrator and the AU shall be responsible to monitor on an annual basis the appropriate use of all funds allocated for special education programs. The Board of Directors through the Annual Budget Plan process shall make the final determination and take action regarding the appropriate use of special education funds.

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

SELPA policies, procedures, and local agreements necessary to support the implementation of the Local Plan, and as required by legal mandates, have been developed and are available upon request. Interagency agreements and/or memorandums of understanding necessary to support the implementation of the Local Plan, and as required by legal mandates, have been developed with the Central Valley Regional Center.

Other inter-agency agreements and/or memorandums of understanding will be developed as needed. Copies of these documents can be requested through the SELPA office.

10. For multi-LEA local plans, specify:

a. The responsibilities of each participating COE and LEA governing board in the policymaking process: [*EC 56205(a)(12)(D)(i)*]

The governance structure of the SELPA is established by agreement among the Superintendents of the member LEAs. The governing body of the Merced County SELPA is the Board of Directors. The SELPA Administrator may convene additional advisory committees as needed. The SELPA Administrator is responsible for coordination of the SELPA and implementation of the Local Plan.

LEA GOVERNING BOARDS (Education Code 56195.1, 56195.5)

LEA Governing Boards shall:

1. Exercise authority over, assume responsibility for, and be fiscally accountable for special education programs operated by the LEA.
2. By approving the Local Plan, enter into an Agreement for Participation with other LEAs participating in the plan, for purpose of delivery of regionalized services and programs.
3. Review and approve revisions of the Merced County SELPA Local Plan.
4. Participate in the governance of the Merced County SELPA through their designated representative to the Board of Directors. The Governing Boards provide the designated Board of Directors member with the authority to act as

the Board designee to approve and amend policies as necessary.
5. Adoption of policies and procedures for special education programs and services within their LEA.
6. LEA compliance with all elements of the Local Plan.
7. Approval of CAC representatives.

b. The responsibilities of the superintendents of each participating LEA and COE in the implementation of the local plan: [EC 56205(a)(12)(D)(i)]

The Superintendent of each LEA is responsible to their respective Governing Board. Each Superintendent shall:
1. Serve as a member of the Board of Directors.
2. Assist in the identification of special education program and service needs for the SELPA through participation on the Board of Directors.
3. Communicate SELPA information to their Governing Board.

c. The responsibilities of district and county administrators of special education in coordinating the administration of the local plan: [EC 56205(a)(12)(D)(i)]

The LEAs within the Merced County SELPA join together pursuant to Sections 56140 and 56195 of the California Education Code to adopt a Local Plan to assure access to special education and services for all eligible individuals with disabilities residing in the geographic area served by these agencies, hereafter known as the Merced County SELPA. In adopting the Local Plan, each participating agency agrees to carry out the duties and responsibilities assigned to it within the Local Plan. Participating agencies may enter into additional contractual arrangements to meet the requirements of applicable federal and state law. The function of the SELPA and participating LEAs is to provide a continuum of quality educational programs and services appropriate to the needs of each eligible student with a disability who reside within the Merced County SELPA.

The LEAs will ensure equal access to programs and services to eligible persons requiring special education in the service region, including students attending charter schools where that LEA of the SELPA has granted that charter. The Local Plan was designed to be fair and equitable to all agencies to continue the commitment to provide high quality programs for students, including students attending charter schools where that LEA of the SELPA has granted that charter.

In addition, each LEA shall cooperate to the maximum extent possible with other agencies to serve individuals with disabilities who cannot be served in the LEA of residence programs. Such cooperation ensures that a range of program options is available throughout the Merced County 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)*]

The AU is responsible for the recruitment of the SELPA Administrator. The selection and supervision of the

SELPA Administrator shall be the responsibility of the Merced County Superintendent of Schools. The Board of Directors provides input for the evaluation of the SELPA Administrator and the County Superintendent conducts the evaluation.

SELPA staff are evaluated by the SELPA Administrator. The SELPA Administrator and the other Administrators in the SELPA are responsible for supervision and evaluation of all other SELPA staff.

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)]

METHOD OF DISTRIBUTION OF FEDERAL AND STATE FUNDS (Education Code 56205(a) (12) (D) (ii), 56205 (b)(1) and 56195.7 (h))
All federal and state special education funds shall be allocated to the SELPA for distribution to LEAs according to an approved Special Education Funding Allocation Plan (FAP). The Superintendents' Council shall make any changes to the allocation of federal and state special education funds to send to the SELPA Board of Directors for approval. The SELPA Administrator is responsible to ensure that the funds are distributed in accordance with the FAP.

RESPONSIBILITIES FOR DISTRIBUTION OF FEDERAL AND STATE FUNDS (Education Code 56195, 56195.1 (b)(3))
The Governing Boards of the LEAs participating in the SELPA have agreed that students with disabilities will be provided with appropriate special education services. The Board of Directors have been designated the authority to determine the distribution of all federal and state special education funds in order for LEA to carry out their responsibilities. The SELPA shall be responsible for the distribution of the funds according to an approved Special Education (FAP). The SELPA Administrator is responsible to ensure that the funds are distributed in accordance with the FAP.

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

All LEAs in the SELPA provide site-based special education programs in a manner that promotes services provided in the least restrictive environment. The AU employs related service providers that conduct comprehensive assessments and provide services to ensure all students have access to the general education curriculum. The AU also provides seat-based programs located on either a separate school campus, public school campuses, or in the community to students with more severe disabilities from infant through age twenty-two. It shall be the policy of this Governance Board 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 SELPA provides a full continuum of services to students with disabilities, including students in charter schools as well as alternative education, throughout the geographic region of the SELPA. Access to services is through each of the LEAs. The referral, assessment, and IEP process is utilized to identify the needs of each individual student with disabilities. The LEAs have committed to policies and procedures to assure that students will have their rights to appropriate supplemental aids and services provided in the least restrictive environment. A student shall be referred for special educational instruction and services only after the resources of the general education program have been considered and where appropriate, utilized.

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

MONITORING THE USE OF SPECIAL EDUCATION FUNDS (Education Code 56205(a)(12)(ii)(IV))
It is the intent of the SELPA that the needs of students with disabilities as identified in the IEP shall be met. Funds allocated for special education programs shall be used for services to students with disabilities. Federal funds under Part B of IDEA may be used for the following activities:
1. For the costs of special education and related services, supplementary aids, and services.
2. Services provided in a general education setting or other education-related setting to a child with a disability in accordance with the IEP for the child, even if one or more children without disabilities benefit from these services.
3. To develop and implement a fully integrated and coordinated services system.

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

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

PROVISION OF SPECIAL EDUCATION SERVICES TO STUDENTS WITH DISABILITIES (Education Code 56195.7 (a), 56205 (a)(12)(D)(ii)(III), 56205(b) (1)(C)(E), 56205(b) (1)(D), 56303)
The SELPA provides a full continuum of services to students with disabilities, including students in charter schools as well as alternative education, throughout the geographic region of the SELPA. Access to services is through each of the LEAs. The referral, assessment, and IEP process is utilized to identify the needs of each individual student with disabilities. The LEAs have committed to policies and procedures to assure that students will have their rights to appropriate supplemental aids and services provided in the least restrictive environment. A student shall be referred for special educational instruction and services only after the resources of the general education program have been considered and where appropriate, utilized.

LOW INCIDENCE / SPECIALIZED EQUIPMENT AND SERVICES
The Merced County SELPA serves all pupils, ages 0-22, which are identified as individual with exceptional needs, including those identified as having “low incidence” disabilities. It is the policy of the SELPA to follow all related federal and state laws related to low incidence disabilities. It is the policy of the SELPA to ensure that access to the least restrictive environment is assured for all pupils, including those with low incidence disabilities. Low Incidence funds may be used for all pupils with low incidence disabilities as defined by law (hearing impairments, visual impairments, severe orthopedic impairments or any combination thereof) where an IEP team has determined the pupil meets eligibility requirements for a low incidence disability. Specialized equipment and/or services must be recommended in the student's IEP. The SELPA Allocation Plan outlines the distribution of the Low Incidence funds.

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.

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1. Free Appropriate Public Education: 20 *USC* Section 1412(a)(1); *EC* 56205(a)(1)

Policy/Procedure Number:	Policy 1.01
Document Title:	Free Appropriate Public Education
Document Location:	Merced County SELPA Website

"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

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2. Full Educational Opportunity: 20 *USC* Section 1412(a)(2); *EC* 56205(a)(2)

Policy/Procedure Number:	Policy 1.02
Document Title:	Full Educational Opportunity
Document Location:	Merced County SELPA Website

“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

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3. Child Find: 20 *USC* Section 1412(a)(3); *EC* 56205(a)(3)

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Policy/Procedure Number:	Policy 1.03
Document Title:	Child Find
Document Location:	Merced County SELPA Website

"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

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4. Individualized Education Program (IEP) and Individualized Family Service Plan (IFSP): 20 *USC* Section 1412(a)(4); *EC* 56205(a)(4)

Policy/Procedure Number:	Policy 1.04
Document Title:	Individualized Education Program
Document Location:	Merced County SELPA Website

“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

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5. Least Restrictive Environment: USC Section 1412(a)(5); *EC* 56205(a)(5)

Policy/Procedure Number:	Policy 1.05
Document Title:	Least Restrictive Environment
Document Location:	Merced County SELPA Website

"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:	Policy 1.06
Document Title:	Least Restrictive Environment
Document Location:	Merced County SELPA Website

“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:	Policy 1.07
Document Title:	Evaluation
Document Location:	Merced County SELPA Website

“It shall be the policy of this LEA that a reassessment of a child with a disability shall be conducted at least once every three years or more frequently, if appropriate.” The policy is adopted by the SELPA as stated:

(●) Yes ( ) No

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

Policy/Procedure Number:	Policy 1.08
Document Title:	Confidentiality

SELPA: Merced County SELPA | Fiscal Year: 2024-25

Document Location: Merced County SELPA Website

"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

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9. Part C to Part B Transition: 20 *USC* Section 1412(a)(9); *EC* 56205(a)(9)

Policy/Procedure Number: Policy 1.09

Document Title: Part C to B Transition

Document Location: Merced County SELPA Website

"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

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10. Private Schools: 20 *USC* Section 1412(a)(10); *EC* 56205(a)(10)

Policy/Procedure Number: Policy 1.10

Document Title: Private School

Document Location: Merced County SELPA Website

"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

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

Policy/Procedure Number:	Policy 1.11
Document Title:	Compliance Assurances
Document Location:	Merced County SELPA Website

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

(●) Yes ( ) No

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12. Interagency: 20 USC Section 1412(a)(12); *EC* 56205(a)(12)(D)(iii)

Policy/Procedure Number:	1.12
Document Title:	Interagency Coordination
Document Location:	Merced County SELPA Website

"It shall be the policy of this LEA that interagency agreements or other mechanisms for interagency coordination are in effect to ensure services required for free appropriate public education are provided, including the continuation of services during an interagency dispute resolution process." The policy is adopted by the SELPA as stated:

(●) Yes ( ) No

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

Policy/Procedure Number:	Policy 1.13
Document Title:	Governance
Document Location:	Merced County SELPA Website

"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:	Policy 1.14
Document Title:	Personnel Qualifications
Document Location:	Merced County SELPA Website

"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:	Policy 1.15
Document Title:	Performance Goals and Indicators
Document Location:	Merced County SELPA Website

"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:	Policy 1.16
Document Title:	Participation in Assessment

SELPA: Merced County SELPA | Fiscal Year: 2024-25

Document Location: Merced County SELPA Website

"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

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17. Supplementation of State, Local, and Federal Funds: 20 *USC* Section 1412(a)(17); *EC* 56205(a)(16)

Policy/Procedure Number: Policy 1.17

Document Title: Supplementation of State and Federal Funds

Document Location: Merced County SELPA Website

"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: Policy 1.18

Document Title: Maintenance of Financial Effort

Document Location: Merced County SELPA Website

"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

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19. Public Participation: 20 *USC* Section 1412(a)(19); *EC* 56205(a)(18)

Policy/Procedure Number: Policy 1.19

SELPA: Merced County SELPA | Fiscal Year: 2024-25

Policy/Procedure Title:	Public Participation
Document Location:	Merced County SELPA Website

"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

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20. Suspension and Expulsion: 20 *USC* Section 1412(a)(22); *EC* 56205(a)(19)

Policy/Procedure Number:	Policy 1.20
Document Title:	Suspension Expulsion
Document Location:	Merced County SELPA Website

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

(●) Yes ( ) No

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

Policy/Procedure Number:	Policy 1.21
Document Title:	Access to Instructional Materials
Document Location:	Merced County SELPA Website

"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

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

Policy/Procedure Number:	Policy 1.22

SELPA: Merced County SELPA | Fiscal Year: 2024-25

Document Title:	Over Identificaiton and Disporportionality
Document Location:	Merced County SELPA Website

"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

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

Policy/Procedure Number:	Policy 1.23
Document Title:	Prohibition on Mandatory Medication
Document Location:	Merced County SELPA Website

"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:	Merced County SELPA Handbook
Document Location:	Merced County SELPA Office
Description:	The SELPA Administrator shall serve on behalf of the member local education agencies and implement the Local Plan. The Merced County SELPA office is designated as the entity responsible for the administration of the Local Plan and assuring that the SELPA is in compliance with all applicable laws and regulations. The SELPA Administrator,

	with Executive Committee input, will make recommendations to the Board of Directors when revisions are needed. The SELPA Administrator will facilitate the development and approval of SELPA policies and procedures necessary to implement the Local Plan.

2. Coordinated system of identification and assessment:

Document Title:	Merced County SELPA Handbook
Document Location:	Merced County SELPA Office
Description:	The SELPA Administrator will ensure each member district conducts Child Find activities. The SELPA provides technical support to LEAs and guidance to parents as needed. The SELPA ensures appropriate inter-agency agreements are in place to support its member LEAs with Child Find.

3. Coordinated system of procedural safeguards:

Document Title:	Merced County SELPA Handbook
Document Location:	Merced County SELPA Office
Description:	The SELPA will provide technical guidance to its member districts regarding procedural safeguards. The SELPA will ensure procedural safeguards are in place, provide technical guidance on forms and procedures in the areas of assessment, identification, and placement, and post procedural safeguards in the SEIS document library.

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

Document Title:	Policy 1.13 Governance
Document Location:	Merced County SELPA Website
Description:	The Merced County SELPA will collect input from the Board of Directors, and SEAC regarding professional development needs.

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

Document Title:	Policy 1.13 Governance
Document Location:	Merced County SELPA Website
Description:	Each member LEA will determine their curriculum development needs and alignment with the core curriculum. The SELPA provides technical assistance and professional development as appropriate when requested.

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

Document Title:	Policy 1.15 Performance Goals and Indicators Policy 2.11 Program Compliance Monitoring an Support
Document Location:	Merced County SELPA Website
Description:	The SELPA will review Annual Performance Reports, California School Dashboard, and other data courses with LEA Administrators. The Annual Budget Plan is reviewed by the Board of Directors, CAC and other interested community/educational groups. The Annual Service Plan is reviewed by Board of Directors, CAC and other interested community/educational groups. The Board of Directors also reviews the Allocation Plan to ensure appropriate distribution of funds.

7. Coordinated system of data collection and management:

Document Title:	Policy 1.13 Governance
Document Location:	Merced County SELPA Website
Description:	The SELPA will review and certify the final California Longitudinal Assessment and Pupil Data System (CALPADS) submission of each member district as required by the California Department of Education (CDE). The SELPA provides technical assistance and training to member districts as requested and or deemed necessary. LEAs are responsible for the data entry, quality and integrity of their LEAs CALPADS data. LEAs will approve CALPADS for submission as required by the CDE prior to the SELPA Certification.

8. Coordination of interagency agreements:

Document Title:	Policy 1.12 Interagency Coordination
Document Location:	Merced County SELPA Website
Description:	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. LEAs will implement inter-agency agreements as appropriate.

9. Coordination of services to medical facilities:

Document Title:	Policy 2.3 Coordination of Services with STRTP, Juvenile Courts, County Jails and Medical Facilities

SELPA: Merced County SELPA | Fiscal Year: 2024-25

Document Location:	Merced County SELPA Website
Description:	The SELPA will facilitate the coordination of services and provide technical support to member districts to ensure that individuals with exceptional needs have full educational opportunities. Students 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 education agency in which the hospital or facility is located.

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

Document Title:	Policy 2.3 Coordination of Services with STRTP, Juvenile Courts, County Jails and Medical Facilities
Document Location:	Merced County SELPA Website
Description:	The SELPA will facilitate the coordination of services and provided technical support to member districts to ensure that individuals with exceptional needs have full educational opportunities. Special education services for students with disabilities residing in a foster family home or licensed children's institution 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 or other Federal Regulations it is determined there is another district of special education accountability which would then be the responsible DSEA.

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

Document Title:	Policy 1.13 Governance
Document Location:	Merced County SELPA Website
Description:	The SELPA will ensure timely transmission of required reports and provide technical assistance to member districts in completing said reports. Each member district will submit the required data in order for the SELPA to submit timely reports.

12. Fiscal and logistical support of the CAC:

Document Title:	Policy 1.13 Govenance
Document Location:	Merced County SELPA Website
Description:	The SELPA will provide fiscal and logistical support of the CAC meeting, events and trainings that are approved by the Board of Directors.

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

SELPA: Merced County SELPA | Fiscal Year: 2024-25

Document Title:	Policy 2.14 Transportation for Students With Disabilities
Document Location:	Merced County SELPA Website
Description:	The SELPA will provide the coordination of specialized transportation services for individuals with exceptional needs attending County Regional Programming. However, each member district is responsible for providing the transportation of their district students as determined by the IEP Team.

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

Document Title:	Policy 2.11 Program Compliance, Monitoring, and Support
Document Location:	Merced County SELPA Website
Description:	Role of SELPA Administrator: Ensure all students age sixteen (16) and above, or younger if determined appropriate by the IEP team, have a statement of needed transition services. Provide support and staff development as needed and requested. Role of LEAs: Ensure that the students aged 16 and above, are involved in the development of an Individualized Transition Plan (ITP). ITP is developed annually and shall be included with the student's IEP; however, a separate ITP meeting may be held depending on the student need.

15. Assurance of full educational opportunity:

Document Title:	Policy 1.02 Full Educational Opportunity
Document Location:	Merced County SELPA Website
Description:	Through approval of the Annual Service Plan, the SELPA will ensure the full continuum of service options. The Board of Directors will determine the regionalized programs needed to meet the needs of the students with disabilities within the SELPA. The SELPA will assist with inter-SELPA transfers as needed. Professional development and technical support will be available upon request or as determined to be needed to ensure full educational opportunity

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

Document Title:	Policy 1.13 Governance
Document Location:	Merced County SELPA Website

SELPA: Merced County SELPA | Fiscal Year: 2024-25

Description: The SELPA will ensure that the distribution and allocation of funds to its member districts is in alignment with the SELPA Allocation Plan. The SELPA will review, monitor and submit the required fiscal reports as identified by CDE, as well as review and submit the Annual Budget Plan.

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

Document Title: Policy 1.13 Governance

Document Location: Merced County SELPA Website

Description:

The Merced County SELPA utilized Coordinators as Program Specialists. These Coordinators support the LEAs with placing students into regionalized severe county programs.

Role of SELPA administrator: Implement and oversee consultation to LEAs and assure that students have full educational opportunity regardless of residence.

Role of LEAs: To seek assistance, consultation and traninings needed to implement designated instruction and services to students on IEPs.

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: Policy 2.7 ECE Programsand Chapter 10 of SELPA Handbook

Document Location: Merced County SELPA Website/ SELPA Office

Description: In collaboration with Regional Center, the SELPA provides technical assistance to member districts to ensure a multidisciplinary approach takes place when assessing children from birth through five years of age in all areas of suspected disability. The SELPA will ensure that interagency agreements are in place as required by California Education Code and provide technical assistance and dispute resolution as needed.

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: Parent Rights

SELPA: Merced County SELPA | Fiscal Year: 2024-25

Document Location:	SEIS Document Library
Description:	Merced County SELPA Parent Rights and Procedural Safeguards details the method by which members of the public, including parents and guardians of an individual with exceptional needs, may address questions or concerns to the SELPA governing body or individual administrator.

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:	Policy 2.8 Dispute Resolution
Document Location:	Merced County SELPA Website
Description:	The policy details the method by which member LEAs may resolve disputes over the distribution of funding, responsibilities of provision and the other governance activities specified in the Local Plan.

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:	Policy 2.6 Consideration of General Education Resources
Document Location:	Merced County SELPA Website
Description:	It is the policy of each LEA in the SELPA that a pupil 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.

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:	Policy 2.4 Nonpublic, Nonsectarian School Monitoring
Document Location:	Merced County SELPA Website
Description:	Each member district has a detailed Board Policy ensuring the continuum of placement options, including the evaluative process when considering placements in nonpublic, nonsectarian schools as agreed by the IEP team.

6. A description of the process by which the SELPA will fulfill the obligations to provide free and

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appropriate public education (FAPE) to a student age 18 to 21 (or age 22 under the circumstances described in *EC* 56026(c)(4)) who has been incarcerated in a county jail and remains eligible for special education services:

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

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

Document Title:	Policy 2.3 and District Board Policy
Document Location:	Merced SELPA website and district websites
Description:	It is the policy of each Local Educational Agency (LEA) within the Merced County Special Education Local Plan Area (SELPA) that every student eligible to receive special education services pursuant to an Individualized Educational Plan (IEP) shall receive them regardless of where they live within the Special Education Local Plan Area (SELPA). The SELPA and each member district has a policy ensuring the continuum of placement options, including the process by which FAPE is provided to students ages 18-22 who have been incarcerated in a county jail and remain eligible for special education services.