

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



California Department of Education

Special Education Division

January 2020

SELPA Stanislaus County SELPA

Fiscal Year 2019-20

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:

Stanislaus County SELPA covers the entire Stanislaus County area with the exception of that area covered by Modesto City Schools. There are 25 school districts encompassed by the Stanislaus County SELPA: Ceres Unified, Chatom Union, Denair Unified, Empire Union, Gratton, Great Valley Academy (GVA), Hart-Ransom Union, Hickman Community Charter, Hughson Unified, Keyes Union, Knights Ferry, Newman-Crows Landing Unified, Oakdale Joint Unified, Paradise Elementary, Patterson Joint Unified, Riverbank Unified, Roberts Ferry, Salida Union, Shiloh, Stanislaus Union School District, Sylvan Union, Turlock Unified, Valley Home Joint, and Waterford Unified. The Stanislaus County Office of Education, for the purposes of the local plan and the joint powers agreement, is considered a school district within Stanislaus County SELPA. SCOE also serves Modesto City Schools SELPA.

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:

The Stanislaus County SELPA is comprised of twenty-four school districts and the Stanislaus County Office of Education (Local Education Agencies or LEAs) who have joined in a cooperative effort to provide for the coordinated delivery of programs/ services and assurance of equal access to such programs and services to eligible persons with disabilities requiring special education in the services region (Education Code 56026). The Stanislaus County Office of Education (SCOE) is designated as the Administrative Unit (AU) for the Stanislaus County SELPA. It shall be responsible for functions such as, but not limited to:

1. Receipt and distribution of funds including Regionalized Services and Program Specialist revenues to accounts exclusively designated by the SELPA.
2. Provision of designated services as specified in the "Agreement for Services as Administrative Unit."

Through a Joint Powers Agreement (JPA), the Stanislaus County SELPA participants designate a Superintendents' Council, which shall be the governing body of the Stanislaus County SELPA. The SELPA staff implements the policies and decisions of the Superintendents' Council. The bylaws of the Superintendents' Council are incorporated in the Policies of the Superintendents' Council. Official SELPA documents once referenced in policy are an extension of Superintendents' Council Policy upon adoption and are of equal authority as other forms of policies are approved by the Superintendents' Council as provided in the Joint Powers Agreement. The Policies document is provided to establish direction for all aspects of the Stanislaus County SELPA's function. One example, the Procedural Manual, includes uniform practices to be used by all staff in the provision of special education

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programs and services in compliance with the law and mutual agreement through the Local Plan.

COMPOSITION AND ORGANIZATION OF THE GOVERNANCE COUNCIL

1. The Stanislaus County Special Education Local Plan Area (Stanislaus County SELPA) is governed by a Superintendents' Council comprised of nine (9) voting superintendents from member LEAs.

2. Representation on the Superintendents' Council is as follows: three (3) permanent members (the County Superintendent of Schools and the Superintendents of the two largest (by CBEDS count) member districts within the SELPA. The remaining six (6) members are superintendents elected by the superintendents of Stanislaus County, apportioned according to the districts comprising the SELPA. The apportioned representation is as follows:

- one for direct service districts
- two for elementary districts
- two for unified districts
- one as a member at large
- two alternates at large

1. Members are elected for three (3) year terms. Members can succeed themselves and nominate themselves for office. Terms are from July 1 to June 30. Vacancies are filled by appointment by the Council from the same category as the vacating superintendent and serve the remainder of the unexpired term.

4. Alternate members will be elected for three (3) year terms. These members are asked to attend all Superintendents' Council Meetings. They will be requested to sit in for an absent member as needed. The alternate will vote in place of the absent member.

5. The Stanislaus County SELPA Director shall serve as the Chief Executive Officer and report directly to the Superintendents' Council. The Stanislaus County SELPA Director will have a non_voting status on the Superintendents' Council.

6. The Superintendents' Council shall meet not less than four times per school year. Additional meetings may be called at the request of any representative of the Superintendents' Council pursuant to adopted policies. The Stanislaus County SELPA Director shall be responsible for preparing the agenda and all support materials for each meeting and serve as secretary to the Council. A quorum shall consist of five (5) voting members.

7. The Superintendents' Council will elect a chairperson and vice_chairperson from their members. The term of office shall be one year. Each of these officers shall serve at the pleasure of the Superintendents' Council until a successor is elected. Elections are held the first meeting of the fiscal year or as scheduled by Superintendents' Council action. New officers are to take office at the first meeting of the new fiscal year.

8. The functions of the Superintendents' Council consist of the adoption of policies designed to give direction to the Stanislaus County SELPA in the areas to include, but not be limited to, matters of personnel, budget, policy, and contracts. The Superintendents' Council shall evaluate the performance of the Stanislaus County SELPA Director.

9. All meetings of the Superintendents' Council shall be held according to law.

The Superintendents' Council shall:

- Develop a Joint Powers Agreement to define operations of the SELPA

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- Coordinate and implement the Stanislaus County SELPA Local Plan
- Adopt policy for the Stanislaus County SELPA
 - Appoint the Stanislaus County SELPA Director
 - Evaluate the Stanislaus County SELPA Director
 - Approve agreements for Regionalized Services
- Adopt an operations budget for the Stanislaus County SELPA including regionalized services and program specialist
- Approve interagency agreements
- Approve the Annual Budget and Service Plan for submission to the state
- Monitor compliance as required by law
- Provide for an annual audit of all income and expenditures, as required by law
- Receive recommendations from the CAC, PAC, B & P, LEA Boards, as well as other concerned agencies and individuals
- Facilitate interagency coordination and development of agreements
- Facilitate non-public school/agency coordination and development of master contracts including rate setting on behalf of member LEAs and uniform procedures for individual service agreements
- Decide disputes between participating LEAs that arise concerning special education related matters or related to the interpretation of the Local Plan or Joint Powers Agreement (JPA) as well as other agreements or policies between or among the LEAs
- Resolve disputes between SELPAs
- Resolve transportation issues in accordance with the contract between the Stanislaus County SELPA; the Modesto City SELPA and/or the transportation provider for the SELPAs

RESPONSIBILITY OF PARTICIPATING LOCAL EDUCATIONAL AGENCIES

Each participating LEA is responsible for implementing those services assigned to the local agency herein and provided for in local budget plans. Each LEA provides assigned programs and services through its own facilities and staff.

However, when an LEA is unable to provide an appropriate program for an individual pupil, that LEA shall, in cooperation with the SELPA/County Program Specialists, arrange for an appropriate placement, through an Individualized Education Team, in a Stanislaus County program or in another LEA within the Stanislaus County SELPA. If such placement is not possible, the Stanislaus County SELPA Director will assist the district in a placement outside of the Stanislaus County SELPA. The Stanislaus County Office of Education shall perform the services of an LEA for persons with disabilities residing in Juvenile Court Schools in the Stanislaus County SELPA.

Stanislaus County has more than one Local Plan Area and the Stanislaus County Office of Education (SCOE) provides special education services to more than one SELPA, therefore, relevant provisions of contracts between the County Office and its employees governing wage, hours, and working conditions shall supersede any like provision contained in the Stanislaus County Local Plan

Transfer of responsibility between the elementary and high school districts occurs during the school year in which the student becomes 14.9 years old on or before September 1, unless otherwise accomplished through graduation from the 8th grade or IEP Team decision. Whatever the decision, the LEA responsibility shifts to the high school district at the time of transfer.

LEA BOARDS OF EDUCATION

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LEA Boards shall:

1. Exercise authority over, assume responsibility for, and be fiscally accountable for special education programs operated by the LEA.
2. Enter into agreements with other LEAs participating in the plan, for purpose of delivery of services and programs.
3. Review and approve revisions of the Stanislaus County SELPA Local Plan for Special Education.
4. Participate in the governance of the Stanislaus County SELPA through their designated representative to the Superintendents' Council.
5. Appoint members to the Community Advisory Committee (CAC).

3. Describe the SELPA's regional policy making process. Clearly define the roles of a multi-LEA governing body, or single LEA administration as applicable related to the policy making process for coordinating and implementing the local plan:

SUPERINTENDENTS' COUNCIL

Policies governing the Stanislaus County SELPA shall be adopted by the Superintendents' Council and are included as part of the Local Plan. The Council shall be advised by the Stanislaus County SELPA Director who shall, in turn, be advised by the Program Advisory Committee (PAC), the Business and Program Committee (B&P), and the Community Advisory Committee (CAC). Input may be received from parents, staff, public and non_public agencies and members of the public at large. Individuals wishing an opportunity to address the Council on a particular agenda item or have the council consider a topic are invited to complete a Request to Address Superintendents' Council form, which is available at the SELPA office. The Superintendents' Council shall review the Stanislaus County SELPA Local Plan and recommend modifications as necessary. All such modifications shall be subject to appropriate statutory and locally defined input process prior to incorporation in this plan. The Stanislaus County SELPA Director, with the Program Advisory Committee and Business and Program Committee, shall assist the Superintendents' Council with these reviews.

The Superintendents' Council shall be the policy making body for the Stanislaus County SELPA and its member LEAs. The policies and procedures adopted by the Superintendents' Council under the authority of the adopting LEA board have the same status as other LEA board policy.

PROGRAM ADVISORY COMMITTEE (PAC), BUSINESS AND PROGRAM COMMITTEE (B & P)

1. The coordination and implementation of the Stanislaus County Special Education Local Plan shall be the responsibility of the Stanislaus County SELPA Program Advisory Committee and Business and Program Committee. These committees shall be composed of the Special Education Administrators from each of the twenty-four (24) participating Districts and the County Office of Education in the Local Plan Area.

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2. The Stanislaus County SELPA Director is an ex-officio member and serves as Secretary of the committees.
 3. The Program Advisory Committee and the Business and Program Committee shall meet monthly during the school year or as needed.
 4. The Program Advisory Committee and Business and Program Committee shall be responsible for implementing policies of the Superintendents Council and for carrying out the day_to_day operations of the LEA programs.
 5. The Program Advisory Committee and Business and Program Committee make recommendations to the Stanislaus County SELPA Director regarding the development of policies and regulations as well as the general operations of the SELPA. These recommendations are to include, but not be limited to, the following:
 - a. establishment of priorities for the provision of services.
 - b. modification of the Local Plan.
 - c. development of the Stanislaus County SELPA budget.
 - d. evaluation of Personnel Development activities.
 - e. development of the resource allocation policies.
 - f. development of the service delivery policies.
 6. In addition, the Program Advisory Committee and Business and Program Committees will be responsible for:
 - a. Coordination of SELPA provided regionalized services with LEA services.
 - b. Coordination of student and program placement.
 - c. Coordination of transportation services.
 7. The Program Advisory Committee and Business and Program Committee and/or the SELPA Director may create standing committees to assist with these recommendations.
- The Program Advisory Committee and Business and Program Committee may be assigned other responsibilities by the Superintendents' Council.

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:

ADMINISTRATIVE FUNCTIONS

1. SELECTION OF RLA AND EMPLOYMENT OF SELPA STAFF

The Stanislaus County Office of Education (SCOE) shall serve as the Administrative Unit (A) and the Responsible Local Agency (RLA) and shall be responsible for functions such as, but not limited to:

1. Receipt and distribution of funds including Regionalized Services and Program Specilaist revenues to accounts exclusively designated by the SELPA.
2. Provisoin of designated services as specified in the "Agreement for Services as Administrative Unit.?"

. Should the Superintendents' Council determine to designate a different agency as the AU or should the Stanislaus County Office of Education choose not to serve as the AU, the Superintendents' Council or the Stanislaus County Office of Education, whichever party seeks the change, shall notify the other party of its

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decision by the January 1 preceding the fiscal year when the change will be effected. In any fiscal year should the Superintendents' Council choose to contract with an agency other than the AU to perform some or all of the services which the AU has been performing, it shall notify the AU by January 1 preceding the fiscal year when the change will be effected.

2. STANISLAUS COUNTY SELPA DIRECTOR

The Stanislaus County SELPA Director shall serve as the chief administrator of the SELPA to operate the JPA on behalf of the member LEAs and implement the Local Plan for Special Education including the following:

1. Provide overall coordination of the Local Plan and JPA implementation.
2. Serve as the Chief Executive Secretary to the Superintendents' Council.
3. Arrange for meetings; establish agendas, and record minutes as appropriate for the Superintendents' Council.
4. Implement the regionalized services of the SELPA:
 - a. Administer staff development programs.
 - b. Coordinate program review.
 - c. Supervise data collection, information management and reporting.
 - d. Coordinate curriculum and program development.
 - e. Coordinate ongoing monitoring of Local Plan implementation through program review.
 - f. Assign, supervise and evaluate SELPA staff.
 - g. Supervise other matters related to the representation and operation of the SELPA.
 5. Coordinate the business operations for the Stanislaus County SELPA.
 6. Hire, supervise, evaluate and discipline staff employed by the SELPA in support of the Local Plan.
 7. Assist in the development of the annual budget plan and annual SELPA operations budget.
 8. Allocate and distribute funds to LEAs for the operation of special education programs and services in accordance with policy.
 9. Coordinate the funds for low incidence services, equipment and materials in accordance with established procedures and state and federal law.
 10. Complete reports for the Stanislaus County SELPA and individual districts in accordance with state priorities criteria, and Education Code.
 11. Apply for discretionary funds and other grants that become available to the Stanislaus County SELPA.
 12. Monitor the appropriate use of federal, state, and local funds allocated for special education programs.
 13. Prepare and submit to the State Department of Education all reports required for the Stanislaus County SELPA.
 14. Assist in the development and coordinate the implementation of agreements and contracts with non-public schools/agencies providing services to exceptional students.
 15. Assist in the development and coordinate the implementation of agreements with other SELPAs and agencies.
 16. Assist in the identification of special education program and service needs for Stanislaus County SELPA .
 17. Request input from the LEAs regarding regionalized and program specialist services.
 18. Coordinate and facilitate the establishment of Stanislaus County SELPA standards, procedures, processes and regulations for the implementation of the Local Plan.
 19. Participate or designate appropriate personnel to participate in IEP Team meetings for students considered for placement in other LEAs, other SELPAs, and/or non_public school placements.
 20. Provide technical assistance to LEA administrators.

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21. Provide technical assistance to LEAs in due process and complaint procedures as well as represent, or designate appropriate personnel to represent, the SELPA in due process and complaint procedures.
22. Act as a liaison between and among the Stanislaus County SELPA, the State Department of Education, the Superintendents' Council, Program Advisory Committee, Business and Program Committee, the Community Advisory Committee, Federal Departments and elected government officials.
23. Update Superintendents' Council and Program Advisory Committee, Business and Program Committee, and Community Advisory Committee on legislative changes, proposal, trends, and related concerns.
24. Provide leadership for special education within the Stanislaus County SELPA

The Program Advisory Committee and Business and Program Committee and/or the SELPA Director may create standing committees to assist with these recommendations.

A county superintendent of schools, serving as the RLA, shall post on the Internet Web site of the county office any local plan, annual budget plan, annual service plan, and annual assurances support plan upon approval of the county office, and any updates or revisions to the plans upon approval of the county office.

5. Describe the policies and procedures of the SELPA that allow for the participation of charter schools in the local plan:

To become a member of a SELPA, the applying charter organization must apply for membership in that SELPA and be deemed by that SELPA a Local Education Agency (LEA) for purposes of special education. This process requires the charter school to demonstrate its ability to serve the full continuum of special education services, as well as assume the full liability for students served in the charter school. While charter schools can apply to become an LEA in their local SELPA or in a charter SELPA, the power to grant membership lies solely with the SELPA itself. If membership is not granted, the charter will not become a member of the SELPA.

Currently, charter schools in California have two options when attempting to ensure that the students with special education needs in their schools receive the services that they are entitled to. Like all California traditional public schools, charter schools must be a member of a Special Education Local Planning Area (SELPA). All charter schools that operate as schools of their authorizing school district ("schools of the district") participate in the SELPA in which their authorizer is a member. Charter schools may also choose to join a SELPA independently of their authorizer, in which case they are deemed to be an independent Local Educational Agency (LEA) for special education purposes.

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The Stanislaus Special Education Local Plan Area (SELPA) as authorized by the California State Board of Education assists California charter schools that have successfully completed the SELPA membership process and have signed this agreement for participation (Agreement) which are deemed Local Educational Agencies pursuant to Education Code Section 47641, in meeting their obligations to provide special education and related services (each term as defined in 20 U.S.C. Section 1401 and the applicable rules, regulations and interpretive guidance issued thereunder and collectively referred to as Services) to applying or enrolled students actually or potentially entitled to Services under applicable state and federal laws and regulations. SELPA Membership also ensures compliance with the LEA

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Member's obligations under Education Code Sections 56195, et. seq.

It is the goal of the Stanislaus County Special Education Local Plan Area (SELPA) that all charter school pupils with exceptional needs within the SELPA receive appropriate special education programs. It is the intent of the SELPA that special education programs be coordinated and operated in accordance with the governance structure.

The Stanislaus SELPA Local Plan and implementing policies apply to all charter schools that are chartered by authorizing school districts located within the Stanislaus SELPA. For purposes of special education, a charter school may be deemed a public school of a Local Education Agency (LEA), or it may be deemed as an LEA for purposes of special education pursuant to Education code Section 47641. For a charter school to be deemed an LEA, the charter school must obtain membership in a multi-district Special Education Local Plan Area (SELPA).

At the time a Stanislaus SELPA member district governing board reviews a charter school petition, the authorizing district will inquire as to whether the charter school will seek to be deemed a school within the district or an LEA for special education purposes. If the intent of the charter school is to function as an LEA for special education purposes, the Superintendent of the district shall notify the Stanislaus SELPA of the petition. The Stanislaus SELPA will consider membership for charter schools functioning as an LEA for special education purposes when a Stanislaus SELPA authorizing member LEA approves the petition of the charter school.

Special Education and related services shall be provided to all eligible individuals within the geographical boundaries of LEA members of the Stanislaus SELPA in accordance with the Local Plan, including eligible individuals attending charter schools, regardless of whether the charter school is deemed a public school or an LEA member of the Stanislaus SELPA. No governing school board of Stanislaus SELPA LEA member shall grant a charter unless the charter includes assurances that special education instruction and/or services shall be provided to all eligible students enrolled in the charter school, in accordance with the SELPA Local Plan.

CHARTER SCHOOL THAT IS A PUBLIC SCHOOL WITHIN THE AUTHORIZING LEA

A charter school shall be considered a public school within the authorizing LEA unless it has applied for and been granted membership in the SELPA as an LEA for purposes of special education.

A charter school that is a public school within the authorizing LEA will participate in state and federal funding in the same manner as other schools within the authorizing LEA. The chartering LEA will be responsible for ensuring that individuals with exceptional needs enrolled in the charter school receive special education programs and services in a manner that is consistent with the applicable federal and state statutes and regulations, the SELPA Local Plan, and the students' IEPs.

The authorizing LEA will receive all applicable special education funds as outlined in the SELPA allocation plan. The chartering LEA and the charter school may enter into agreements whereby the charter school is billed for excess costs associated with providing special education programs and services to identified students, including the administration of special education programs and services. The charter school also may be held fiscally responsible for a fair share of any encroachment on LEA general funds that is created by the provision of special education programs and service sthroughout the LEA.

CHATER SCHOOL AS LEA FOR SPECIAL EDUCATION PURPOSES

Education Code Section 47640 allows a charter school to be deemed an LEA for purposes of special education and to receive direct funding by applying to the SELPA for participation as an LEA.

A. Application Process

To apply for membership in Stanislaus SELPA, the charter school must submit a written application to Stanislaus SELPA by November 15th prior to the school year in which the charter school anticipates operating as an LEA for special education purposes. Through the application process, the charter school will describe how it will provide a full continuum of special education services and programs and will demonstrate its ability to provide individuals with exceptional needs who enroll in the charter school with a free appropriate public education (FAPE). The charter school may become a member of the Stanislaus SELPA upon execution of the Joint Powers Agreement, adoption of the Local Plan, submission of the Charter School Special Education Application, review and approval of those documents by the Stanislaus SELPA Superintendents' Council.

Requirements of the Charter School Special Education Application

The attached Charter School Special Education Application form is intended to be a template and may be modified or adjusted to provide adequate space and outline of relevant information. The Charter School Special Education Application shall include the following:

- Description of the charter school and instructional program provided
- Description of students served and enrollment criteria
- Description of the instructional staff including credentials and job descriptions
- Description of class size standards
- Description of special education programs and services to be operated, service delivery plan, and the number and type of students to be served in special education programs and services
- Description of administration and supervision to provide oversight and accountability for special education and related issues
- Description of the impact of the charter school on the SELPA staff and accommodations required to provide adequate SELPA staff oversight of program, compliance and fiscal areas.
- Identification of the budget allocation to be provided for the operation of special education programs and services including contingency reserves for special education programs and service needs
- Description of the accounting and documentation procedures to be used to authorize, monitor, and document the appropriate use of special education funds.
- Assurance for compliance with the Stanislaus SELPA Local Plan, State, and Federal mandates

B. Rights and Responsibilities

Once deemed an LEA participant of the Stanislaus SELPA, the charter school will be responsible for and entitled to the following as required of any LEA in the SELPA:

1. Membership and participation in the Program Advisory Committee, Business & Program Committee and Community Advisory Committee.

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2. Participate in and receive regionalized services in the same manner as other LEAs within the SELPA.
 3. Receive state and federal funding for special education in the same manner as other LEAs within the SELPA.
 4. Be responsible for all costs incurred in the provision of special education services. These costs may include, but are not limited to, instruction, transportation, nonpublic school/agency placements, inter-intra SELPA placements, due process proceedings, complaints, and attorney fees. When a student lives outside the boundaries of the chartering district, the district in which the child lives will have no responsibility to provide services or pay excess costs.
 5. Document that all state and federal special education funds apportioned to the charter schools are used for the sole purpose of providing special education instruction and/or services to identified students with disabilities. Such funds shall be used to supplement and not supplant other sources of federal, state, and local funds apportioned to the charter schools.

The Stanislaus SELPA Superintendent's Council shall adopt policies regarding participation of charter schools as members of the Stanislaus SELPA. Expectations for charter schools shall match the requirements for districts. The Superintendent's Council policies shall include but not be limited to:

- Requirements of the Charter School Special Education Application
- Criteria for review of the Charter School Special Education Application for recommendation to LEA governing boards for membership approval
- Program Advisory Committee, Business and Program Committee and Community Advisory Committee representation
- Minimum standards for provision of special education services before participation in the funding allocation process
- Fiscal accounting requirements
- Performance accountability standards
- Assurance for compliance with SELPA, State, and Federal statutes and regulations

CHARTER SCHOOL MEMBERSHIP IN THE STANISLAUS SELPA

To apply for membership in the Stanislaus SELPA, the charter school must submit a written plan to the Stanislaus SELPA that describes how education services will be provided to all students enrolled in the charter school. The written plan will be referred to as a Charter School Special Education Application.

The Stanislaus SELPA Director shall inform the requesting charter school of the procedure timeline and criteria for membership in the SELPA. The SELPA Director shall assist the LEA member of Stanislaus SELPA in the process of authorizing the charter school and assist the charter school desiring to become an LEA for the purposes of special education and potential membership in Stanislaus SELPA. The SELPA Director shall represent the SELPA in negotiation of any issues needing resolution and notify the charter school if the criteria for membership in Stanislaus SELPA has not been met. Such notice may be appealed to the Superintendent's Council.

The charter school becomes a member of the Stanislaus SELPA upon signature of the Joint Powers Application, adoption of the Local Plan, and adoption of the Charter School Special Education Application by the charter school governing body, and review and approval of those documents by the Stanislaus SELPA Superintendent's Council.

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Criteria for Review of the Charter School Special Education Application for Recommendation to LEA Superintendent's Council for Membership Approval.

The Superintendent's Council shall apply criteria equal to the standards required of any member LEA within the SELPA to the determination of a recommendation to LEA member governing boards regarding the acceptance of an application for membership in the Stanislaus SELPA. Criteria shall include standards applied by the State in review of the Local Plan, Compliance Review criteria, and standard accounting practices.

Superintendent's Council, Program Advisory Committee, Business & Program Committee and Community Advisory Committee Representation

Upon approval of membership, a charter school operating as an LEA shall be represented in the Superintendent's Council through the method described in the Joint Powers Agreement and Local Plan. The charter school shall be assigned to the same representation pattern as the LEA authorizing the petition of the charter school. For example, if the XYZ Unified School District approved a charter school petition, the XYZ Unified School District superintendent and the charter school superintendent would determine who would represent both LEAs on the Superintendent's Council. The charter school would be entitled to full membership and participation in the Program Advisory Committee, Business & Program Committee and Community Advisory Committee.

C. Minimum Standards for Provision of Special Education Services before Participation in the Funding Allocation Process

Before participating in the SELPA Allocation/Budget process, the charter school shall indicate their capacity to provide special education programs and services in order to provide the full continuum of placement options to students with disabilities as specified in federal law and the Stanislaus SELPA Local Plan. New charter school LEA members shall participate in the Stanislaus SELPA regionalized programs fee for services to support special day classes and designated instructional services and adhere to all Stanislaus SELPA policies and procedures.

The Charter School Special Education Application shall include a service delivery plan to describe programs and services to be operated, and budget and expenditure reports shall be provided on the same timetable as for other LEAs.

The charter school shall be monitored under the Annual Allocation/Budget Plan, Annual Service Delivery Plan, and Maintenance of Effort activities (MOE) in the same manner as other LEAs in the SELPA.

Funds provided through the SELPA allocation process shall be used to provide special education programs and services only. The charter school is required to meet the state and federal requirement for maintenance of effort. (MOE) Substantial non-compliance and failure to submit reports to the SELPA in a timely manner shall be cause to withhold funds.

C. Fiscal Accounting Requirements

The charter school shall demonstrate accounting and fiscal practices comparable with other LEAs and compatible with the SELPA data collection requirements.

D. Performance Accountability Standards

The charter school shall demonstrate compliance and performance accountability at or above the standard common within the SELPA.

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E. Assurance for Compliance with SELPA, State, and Federal Mandates

The charter school shall document governance and administrative assurance for compliance with the SELPA, State, and Federal Mandates as required in the Local Plan and inclusive of all requirements for serving individuals with exceptional needs.

F. Revocation

Charter school membership in the Stanislaus SELPA may be revoked by the Superintendent's Council if the Council finds that the charter school has failed to comply with the state or federal statutes or regulations or with the Local Plan, and/or with SELPA policy, procedures or standards of the Stanislaus SELPA. In the event SELPA membership is revoked, the charter school shall no longer be deemed an LEA, for special education purposes, and shall be deemed a public school of the authorizing LEA that granted the charter.

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:

The Stanislaus County SELPA Community Advisory Committee serves the Special Education Local Plan Area and the Superintendent of the RLA in an advisory capacity, in accordance with Education Code 56190-56194

Parents comprise a majority of the membership of the Community Advisory Committee and of these members; the majority must be parents of children with disabilities. Members of local PTAs, special education teachers, general education classroom teachers and school personnel, students with disabilities, representatives of related public and private agencies, and other persons concerned with the needs of children with disabilities may also be represented.

RESPONSIBILITIES OF THE COMMUNITY ADVISORY COMMITTEE

1. Advise the SELPA Senior Administrator, Program Advisory Committee and the SELPA Governing Board regarding the development, amendment and review of the Local Plan, programs and services.
2. Inform and advise Special Education Local Plan Area staff regarding community conditions, aspirations, and goals for children with disabilities.
3. Make recommendations for annual priorities to be addressed by the SELPA.
4. Assist in parent education and in recruiting parents, volunteers, and agencies who may contribute to the implementation of the Local Plan.
5. Encourage community awareness and involvement in the development and review of the Local Plan.

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- 6. Support activities on behalf of children with disabilities.
- 7. Facilitate communication between schools, parents, and community.
- 8. Assist in parent awareness of the importance of regular school attendance.
- 9. Establish and review by-laws to govern committee operations, including a procedure designed to provide for a systematic rotation of the membership.
- 10. Support community involvement in the parent advisory committee established pursuant to Education Code section 52063 to encourage the inclusion of parents of individuals with exceptional needs to the extent these pupils also fall within one or more of the definitions in Section 42238.01

THE COMMUNITY ADVISORY COMMITTEE APPOINTMENT AND MEMBERSHIP

The Community Advisory Committee shall consist of members appointed by the LEA Governing Boards. The LEA governing boards shall appoint one council member along with one alternative member. The appointments from each agency may include parents of students enrolled in general education, parents of students with disabilities enrolled in public or private schools, pupils or adults with disabilities, LEA personnel, including teachers, representatives of other public agencies, or other persons concerned with the needs of children with disabilities:

“The members of the community advisory committee shall be appointed by, and responsible to, the governing board of each participating district or county office, or any combination thereof participating in the local plan.”(Ed. Code 56191)

Members appointed to represent an LEA are to be appointed by the governing board of the LEA. All parent members of the committee must reside within the geographic area of the Special Education Local Plan Area.

A member may resign by filing a written resignation with the chairperson of the Community Advisory Committee and their LEA Board.

The Stanislaus County SELPA office shall provide fiscal and logistical support to the Community Advisory Committee.

- 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:

Triennially the SELPA shall consult with an ad hoc local plan committee of representatives of special education and regular education teachers along with administrators, all selected by the groups they

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represent, along with members of the Community Advisory Committee regarding the SELPA local plan's implementation and development. Each LEA does not need to provide members for the ad hoc local plan committee from each group of representatives.

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:

The Stanislaus County SELPA Director shall allocate all resources granted to the Special Education Local Plan Area pursuant to Education Code. Resources will be allocated in accordance with policy and procedures adopted by the Superintendents' Council.

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

1. Receipt and distribution of funds including Regionalized Services and Program Specialist revenues to accounts exclusively designated by the SELPA.
2. The Auditor_Controller of Stanislaus County, the Stanislaus County Assistant Superintendent of Business shall perform the Auditor_Controller and Treasurer functions prescribed by Government Code Sections 6505 and 6505.5 in the same manner that they perform these functions for school districts. The approval of demands for which the County Superintendent of Schools shall draw warrants shall be performed in accordance with the policies and procedures adopted by the Superintendents' Council, subject to the review and approval of the County Superintendents of Schools, as required by Education Code Sections 42633 and following. There shall be strict accountability of all funds. All revenues and expenditures shall be reported to the Superintendents' Council. The SELPA Director shall have the responsibility of authorizing disbursements and entering into agreements on behalf of the Stanislaus County SELPA.

The Stanislaus County SELPA's powers shall include but are not limited to the following:

1. To make and enter into contracts.
2. To employ agents or employees or to utilize the services of personnel of the parties when such services are offered by the parties.
3. To acquire, construct, manage, maintain or operate any buildings, work or improvements.
4. . To acquire, hold or dispose of property.
5. To sue and be sued in its own name.
6. To incur debts, liabilities or obligations.
7. To apply for, accept, receive, and disburse funds and grants from any agency of the United States of America, the State of California, or any other public agency.
8. To invest any money pursuant to the Government Code Section 6505.5 that is not required for the immediate activities of the Stanislaus County SELPA, as the Superintendents' Council determines is advisable, in the manner and on the same conditions as local agencies, pursuant to Government Code Section 53601.
9. To adopt policies governing the operations of the Stanislaus County SELPA as outlined in the Local Plan.
10. To carry out and enforce all the provisions of thisLocal Plan.

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The powers listed above shall be exercised in the manner provided in the law and be subject only to the restrictions upon the manner of exercising such powers as are imposed upon LEAs in the exercise of such power.

POWERS OF LEAs

The governance of LEA special education programs shall be the responsibility of LEA governing boards. LEA governing boards shall have and retain authority to receive and budget all special education income allocated by the Superintendents' Council to LEAs for programs and services provided by LEAs in accordance with the Local Plan, SELPA policies, and federal and state statutes and regulations.

FUNCTION OF THE STANISLAUS COUNTY SELPA

The Stanislaus County SELPA shall be responsible for the following:

1. In conjunction with the LEAs who are parties to this Agreement, develop a local plan for the education of individuals with exceptional needs in accordance with the requirements of State and Federal laws and regulations.
2. Coordinate the implementation of Local Plan.
3. The Superintendents' Council shall be the policy making body for the Stanislaus County SELPA and its member LEAs. The policies and procedures adopted by the Superintendents' Council under the authority of the adopting LEA board have the same status as other LEA board policy.

The Superintendents' Council shall:

- Develop a Joint Powers Agreement to define operations of the SELPA
- Coordinate and implement the Stanislaus County SELPA Local Plan
- Adopt policy for the Stanislaus County SELPA
- Appoint a Stanislaus County SELPA Director
- Evaluate, decide disputes, and disciplines the Stanislaus County SELPA Director
- Approve an agreement for Regionalized services
- Adopt an operations budget for the Stanislaus County SELPA including regionalized services and programs specialists funds
- Approve Interagency agreements and Inter-SELPA agreements
- Approve the Annual Budget and Allocation Plan for submission to the state
- Approve the Annual Service Plan for submission to the state
- Monitor compliance as required by law
- Provide for an annual audit of all income and expenditures, as required by law
- Receive recommendations from the CAC, Program Advisory Committee, Business and Program Committee, LEA Boards, and other concerned agencies and individuals
- Decide disputes, if any, between participating LEAs that arise concerning special education related matters or related to the interpretation of the Local Plan or this JPA, and other agreements or policies between or among the LEAs
- Approve Transportation contract/resolve disputes in accordance with the Transportation contract

Policies Addressing LEA Responsibilities shall include but not be limited to:

- Child Find

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- Procedural safeguards
- Records and report requirements
- Programs and services
- Students and eligibility criteria
- Uniform procedures for notification, identification, assessment, Individualized Education Plan (IEP) development, implementation, and review, and placement
- Transportation
- Complaints and hearings
- Private Schools
- Personnel Standards
- Participation in state/district-wide assessments
- Hospital/Foster/LCI/Juvenile Court schools
- Equipment and services
- Consideration of general education resources after referral

Policies Addressing Regionalized Services shall include but not be limited to:

- Interagency coordination and development of agreements
- Non-public school/agency coordination and development of master contracts including rate setting on behalf of member LEAs and uniform procedures for individual service agreements
- Provision of Program Specialist service
- Evaluation, program review, and data collection as required
- Curriculum and program development, as required
- Provision of SELPA personnel and employment standards
- Provision of regionalized staff development
- Resource acquisition
- Resource allocation and distribution according to policy
- Dispute resolution to support parents and LEAs in solving conflict
- Coordination of necessary services
- Other responsibilities as assigned by Superintendents' Council

4. The SELPA Director is authorized by the Superintendents' Council to implement Stanislaus County SELPA Policies and Regulations and specific Superintendents' Council actions on behalf of the Superintendents' Council and the Stanislaus County SELPA. These responsibilities include but are not limited to the signing of official documents, State reports and authorization of expenditures. [56205(a)(12)(D)(ii)]

PROGRAM SPECIALIST SERVICES

In the Stanislaus County SELPA, Program Specialist services are provided as part of the Regionalized Services.

Role and Function of Program Specialists provide a range of services in both public and non-public, non-sectarian schools as well as with non-public agencies to include:

1. Observe, consult with, and assist regular and special education staff.
2. Plan programs, coordinate curricular resources, and evaluate effectiveness of programs for

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- individuals with exceptional needs.
- 3. Assist with staff development, program development, and innovation of special methods and approaches.
- 4. Support the assurance that pupils have full educational opportunity regardless of the district of residence.
- 5. Work on a consultative basis with principals and administrators who operate special education programs and services.
- 6. Coordinate placement of students outside their district of residence.
- 7. Assist with dispute resolution and legal compliance.
- 8. Serve as liaison and consultant to other professionals, appropriate agencies and the community.

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:

In its mission to provide high quality educational programs and related services to disabled students and operate efficient, cost-effective programs, the Superintendents' Council believes when an individual school district within the SELPA has been authorized by the Council to provide programs and related services to students in classrooms closer to their neighborhood, it does so with the intent to offer these programs and services to other districts within its region.

The Superintendents' Council believes by offering regional programs and related services, districts that feed into these programs give their students the opportunity to reduce the time spent being transported to and from school, the number of times a student must change school districts in order to receive appropriate services as well as creating a system that allows students to transition smoothly from one grade level to the next with their disabled and non-disabled classmates.

In adopting the Local Plan, each participating local education agency agrees to carry out the duties and responsibilities assigned to it within the plan. Each agency shall provide special education and services to all eligible students within its boundaries, including students attending charter schools where that local education agency of the SELPA has granted that charter. In addition, each agency shall cooperate to the maximum extent possible with other agencies to serve individuals with disabilities who cannot be served in the local education agency of residence programs. Such cooperation ensures that a range of program options is available throughout the Stanislaus County SELPA.

Any participating local education agency may provide for the education of special education students in special education programs maintained by other districts or counties, and may include within the special education program students who reside in other districts or counties.

10. For multi-LEA local plans, specify:

- a. The responsibilities of each participating COE and LEA governing board in the policymaking process:

Stanislaus County Office of Education shall be a member of the superintendent's council that participates in the

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policymaking process.

LEA Governing Boards shall:

1. Exercise authority over, assume responsibility for, and be fiscally accountable for special education programs operated by the LEA.
2. Enter into agreements with other LEAs participating in the plan, for purpose of delivery of services and programs.
3. Review and approve revisions of the Stanislaus County SELPA Local Plan for Special Education.
4. Participate in the governance of the Stanislaus County SELPA through their designated representative to the Superintendents' Council.
5. Appoint members to the Community Advisory Committee (CAC)

The policies and procedures adopted by the Superintendents' Council under the authority of the adopting LEA board have the same status as other LEA board policy.

b. The responsibilities of the superintendents of each participating LEA and COE in the implementation of the local plan:

In adopting the Local Plan, each participating local education agency agrees to carry out the duties and responsibilities assigned to it within the plan. Each agency shall provide special education programs and services to all eligible students within its boundaries, including students attending charter schools where that local education agency of the SELPA has granted that charter. In addition, each agency shall cooperate to the maximum extent possible with other agencies to serve individuals with disabilities who cannot be served in the local education agency of residence programs. Such cooperation ensures that a range of program options is available throughout the Stanislaus County SELPA.

Any participating local education agency may provide for the education of special education students in special education programs maintained by other districts or counties, and may include within the special education program students who reside in other districts or counties.

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c. The responsibilities of each LEA and COE for coordinating the administration of the local plan:

Each participating LEA is responsible for implementing those services assigned to it by the Local Plan and provided for in local budget plans. Each LEA provides assigned programs and services through its own facilities and staff. Each LEA is responsible for coordinating the administration of the local plan along with the Stanislaus County Office of Education.

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:

The Superintendents' Council shall:

- Appoint the Stanislaus County SELPA Director
- Evaluate the Stanislaus County SELPA Director

The Stanislaus County Office of Education (SCOE) shall serve as the Administrative Unit.

The Administrative Unit (AU) shall employ and have under their jurisdiction the following staff positions:

- A. SELPA clerical staff
- B. Program Specialist(s)
- C. MIS staff
- D. Transportation Facilitator
- E. Other staff as authorized by Superintendents' Council

The Stanislaus 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.

Changes or amendments to the permanent portion of the Local Plan may be considered by the Superintendents' Council. Amendments approved in this manner shall become permanent upon subsequent approval by all local education agencies governing boards and the State Board of Education.

When the local plan is revised, each LEA governing board must approve the plan in order for the district to continue as a participant in the Stanislaus County SELPA.

b. The local method used to distribute federal and state funds to the SELPA RLA/AU and to LEAs within the SELPA:

The SELPA Administrative Unit, as the grantee of federal funds from the State Department of Education, shall

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distribute all or part of the federal funds received to participating Local Education Agencies (LEA) within the SELPA through a sub-granting process and shall annually conduct and report to the State Education Agency (SEA) the required MOE information. The LEAs within the Stanislaus SELPA shall compile and submit budget and expenditure information including SEMA and SEMB reports to the SELPA.

FUNDING ALLOCATION

RESPONSIBILITIES FOR DISTRIBUTION OF FEDERAL AND STATE FUNDS

The governing boards of the local education agencies participating in the SELPA have agreed that students with disabilities will be provided with appropriate special education services. The Superintendents' Council has been designated the authority to determine the distribution of all federal and state special education funds in order for local education agencies to carry out their responsibilities.

Amendments to the Annual Service and Budget Plans

The governing boards of the local education agencies agree to designate authority to the Superintendents' Council to approve the SELPA-wide annual service and budget plans and any subsequent modifications.

- (1) AB602 Base, COLA, Equalization, Growth, RS/PS, 5 - 22 years old; Funding Formula: A./B. Prior Year Total P2 ADA, C./D./E. Current Year Total P2 ADA; Allocation Basis: A./B. Prior Year Total ADA, C./D./E. Current Year Total P2 ADA; Timeline for Distribution: Monthly;
- (2) IDEA Local A. Direct District Assistance Apportionment (Federal) for SDC (RS 3310), B. DOS to DOR; Funding Formula: 1999 Pupil Count + COLA increases yearly; Allocation Basis: Prior Year Dec. 1 Special Ed. Unduplicated Count; Timeline for distribution: Bi-annually
- (3) Property Tax (Local) (RS 6500); Funding Formula: Set by Status Statute (Stanislaus County Rate); Allocation Basis: Current Year General Ed. P2 ADA; Timeline for distribution: Bi-annually
- (4) Revenue Limit A, Direct (state Aid) District (RS 6500) apportionment for SDC, B. SCOE SDC apportionment, C. DOS to DOR SDC 2x's yearly; Funding Formula: A./B/ Individual District Rate x special ed. SDC P2 ADA; Allocation Basis: A./B./C.: Individual District Rate x Special Ed. SDC P2 ADA; Timeline for Distribution: A. Monthly, B. Bi-annually, C. Annually (Year End)
- (5) One Time Money (RS 6500): Funding Formula: Set by state guidelines; Allocation Basis: Funded Year P2 ADA or as otherwise approved by Superintendents' Council; Timeline for Distribution: Based on State Distribution
- (6) Preschool A. Local Grants Entitlement (Federal) (IDEA Part B, Section 611 -Sections 611 & RS3320, 619); Funding Formula: A/B. Prior year December 1 special ed. unduplicated pupil count; Allocation basis: Pass through to provider; Timeline for Distribution: Based on State Distribution Schedule
- (7) State Apportionment; Funding Formula: Based on Current Year Infant Units; Allocation to provider of infant services: Pass through to provider; Timeline for distribution of revenue (Cash): Monthly
- (8) Early Intervention Part C (Federal) (RS 3385); Funding Formula: Based on the # of Solely Low Incidence Infants reported for the prior year; Allocation to Provider of Infant Services: Pass through to provider; Timeline for Distribution of Revenue: Based on the State Distribution Schedule
- (9) Infant Discretionary Fund; Funding Formula: Based on the # of Solely Low Incidence Infants reported for the prior year; Allocation to Provider of Infant Services: Pass through to provider; Timeline for Distribution of Revenue: Based on the State Distribution Schedule
- (10) Low Incidence (AB602 State)(SELPA RS 6594); Funding Formula: December 1 Low Incidence Pupil

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County from the Prior Year; Allocation to SELPA for use by all districts: As approved by the SELPA low Incidence Committee; Timeline for distribution of revenue: Monthly

(11) NPS Revenue A. Out of Home Care, Limit (state)(C Placements)A. SELPA (RS 6595) B. NPS/NPA (B. SELPA Insurance Pool RS 6596)(A Placements); Funding Formula: Current Year Annual ADA for NPS placements x Individual District Revenue Limit; Allocation to SELPA for use by all districts: Current Year Annual ADA for NPS placements x Individual District Revenue Limit; Timeline for Distribution of Cash: Bi-annually

(12) Special Education Home to School Transportation; Funding Formula: Prior year expenditures adjusted for COLA and growth; Allocation to SELPA for use by all districts: Distributed to DOR based on pupil count (prior year December 1st severe/school age) and mileage (standard mile)

(13) Personnel Staff Development for SELPA (State RS 6535); Allocation to SELPA for use by all districts: Kept at the SELPA level for SELPA-wide staff development; Timeline for Distribution of revenue: based on the State Distribution Schedule

(14) Out of Home Care (AB602 State)(SELPA RS 6595); Funding Formula: Current year bed count for LCI, group home, foster home, etc.; Allocation to SELPA for use by all districts: A. Used for "c" placements, B. NPS/NPA pool "A" placements used toward NPS/NPA; Timeline for Distribution of revenue: monthly

(15) SELPA Administrative Budget (RS 6500); Expense Allocation Formula: Total Superintendents' Council approved budget divided by the total current year P2 ADA prorated based on each District's Individual Current Year Total P2 ADA; Timeline: Monthly

(16) NPS/NPA insurance Pool; Expense Allocation Formula: Excess Costs prorated based on each District's Individual Current Year Total P2 ADA; Timeline: Monthly

(17) Program Specialist (PS) (RS 6500); Expense Allocation Formula: Total Superintendents' Council approved budget based on applicable District's Individual Current Year Total P2 ADA; Timeline: Monthly

(18) Special Education Transportation; SELPA transportation admin based on prior year total P2 ADA, general bus and aides based on actual miles, and unique costs such as 1:1 aides/solo/CCS Therapy based on actual costs

c. The operation of special education programs:

Each participating LEA is responsible for implementing those services assigned to the local agency herein and provided for in local budget plans. Each LEA provides assigned programs and services through its own facilities and staff.

However, when an LEA is unable to provide the program specified in a student's individualized education program, that LEA shall, in cooperation with the SELPA/County Program Specialists, arrange for an appropriate placement in a Stanislaus County Office of Education program or in another LEA within the Stanislaus County SELPA. If such placement is not possible, the Stanislaus County SELPA Director will assist the LEA in locating a placement outside of the Stanislaus County SELPA.

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d. Monitoring the appropriate use of federal, state, and local funds allocated for special education programs:

BUDGET

1. The SELPA Director with SELPA staff shall prepare annually a budget draft for review and approval by the Superintendents' Council.
2. The following services are considered typical of the SELPA operation and will be included in the SELPA budget:
 - A. Administration of the SELPA budget:
 - 1) Full time SELPA Director and one FTE Confidential Executive Assistant.
 - 2) Operation and support of the Governance and Program Committees
 - 3) Coordination of program delivery throughout the County, and
 - 4) Calculation of all district program costs
 - B. The SELPA will be housed by the Administrative unit (AU) currently assigned to the County Office. The SELPA does not pay rent for office facilities but can includes the cost of deferred maintenance, custodial and utilities.
 - C. Operating a Management Information System (MIS) that will meet the reporting requirements and provide information desired by the districts. This currently includes:
 - 1) Provisions for various reports and data for use by the districts
 - 2) Processing of ADA reports NPS and LCI
 - D. A separate monthly budget will be prepared regarding coordination of student transportation.
 - E. Coordinating student transportation and acting as liaison with the contractor, school and parents.
 - F. Insuring the transportation contractor is providing adequate service, operating a realistic number of miles for the students being transported, and billing an accurate amount for the services being provided.
3. The MIS system also provides full attendance accounting for all special day classes operated by the County Office and the districts.
 1. Transportation coordination shall be provided and shall be included in the SELPA Transportation budget. The Transportation Specialist provides liaison services for pupil transportation and customer service and shall assure optimization of the miles being driven and that the transportation billings by the contractor are accurate.
 2. The approved budget will be prorated by district's ADA and paid as a SELPA Fee

FEE FOR SERVICE

Fee for Service for Regionalized Providers (FFS) fees will be charged on a monthly basis. The amount will be

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charged per Fee for Service Schedule per student placed in a regionalized SDC or receiving DIS services from a Regionalized Provider.

1. Each regionalized provider will establish their Fee for Service Schedule by March 1st of the prior year.
2. Fees must be revised at least twice per year on November 1st and February 1st and/or April 15th.
3. At the close of the fiscal year, the fee will be adjusted to reflect actual expenses and enrollment. Any necessary adjustments will be charged or credited to the year in which they occurred (True Up/Reconciliation Process).

Fee for Service Schedule Payment Process

Regionalized providers shall use the actual, projected program costs for establishing the Fee for Service. The Fee will be established by March 1st of the prior year. A Fee for Service must be set for each regionalized class and/or service.

1. The Fee for Service may include, but is not limited to:
2. Administration Classified Staff
3. Clerical Staff
4. Certificated Staff
5. Instructional Supplies Books
6. Equipment Printing
7. Network Services Field Trips
8. Facilities Assessments
9. Legal Costs
10. CBI
11. Transportation
12. Hearing Screening/Nursing Services
13. Mileage Indirect Costs
14. Communications Autism Specialists
15. LVN 3.5 hours/half time in PH/MH classes DHH Interpreters - unless 1:1
16. Behavior Intervention Case Managers Staff Training
17. Audiological Services including maintenance of FM systems

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:

REGIONALIZED SPECIAL EDUCATION PROGRAMS AND SERVICES AND OPERATIONS

The SELPA Director shall serve on behalf of the member local education agencies and implement the Local Plan including the following regional services and operations:

Coordinate the implementation of services as outlined in the SELPA local plan and SELPA policy.
Program specialists shall provide the following services:

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Coordinate the assessment of student needs for assistive technology or specialized in the least restrictive environment.

PROVISION OF SPECIAL EDUCATION SERVICES TO STUDENTS WITH DISABILITIES

The SELPA provides a full continuum of special education programs and 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 local education agencies. The referral, assessment and IEP process is utilized to identify the needs of each individual student with disabilities. The local education agencies 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 services only after the resources of the general education program have been considered and where appropriate, utilized.

CHANGES IN REGIONALIZED SPECIAL EDUCATION PROGRAMS AND SERVICES

A. Changes recommended by the Superintendents' Council

The Superintendents' Council recognizes that as student demographics change within the SELPA, it may become necessary to close classes, shift classes from one location to another, change regionalized providers (Take Backs), combine classes or discontinue the operation of regional programs and related services in order to meet the goals of providing high quality services to students as well as operating efficient and cost-effective programs.

The Superintendents' Council desires that student enrollment data be carefully monitored and analyzed for each regional program on an on-going basis. The Council's intentions are to encourage staff to utilize long and short-term planning strategies to better serve students. The Superintendents' Council believes that ensuring a continuum of services to meet the needs of every student with a disability is the SELPA's highest priority.

Student enrollment data is to be reviewed and analyzed by the PAC every month beginning October 1st of each year for each regional program. The same identification procedures and examination factors are to be used for all regionalized provider programs. This information is to be shared through the Monthly Regionalized Provider Worksheet for Regionalized Special Day Class programs.

Using the SELPA student loading standards as a guide, the PAC will identify any programs that are operating at less than 80% of its intended student loading capacity. Any program that is less than 80% of its student loading capacity will be targeted for closer examination by the Take Back/Continuum Committee.

When examining a regional program as a possible target for closing, relocation, or combining, the PAC should then determine whether the student loading formula needs adjustment due to the severity or unique needs of students in the targeted program. Before recommending the reduction of the student loading standard, PAC is to determine the "industry standard". This is to be accomplished by comparing the loading standards of Stanislaus SELPA with the loading standards of 8-10 other SELPAs with demographics similar to Stanislaus SELPA. If the loading standards are recommended for adjustment, the SELPA Director is to obtain the Superintendents' Council's approval prior to implementing the change.

Next, the Take Back/Continuum Committee is to determine the impact of closing, changing regionalized providers or combining a class on the continuum of services for targeted programs. If closing or combining a service or

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program creates a gap in the continuum of services, a contingency plan must be in place. This will ensure an appropriate instructional setting is available somewhere in the SELPA before making the recommendation to close or combine a class/program.

All requests will be assessed utilizing the same identification procedures and examination factors. This will include answering the following questions: How does the request fit into the current continuum of services? Are all components and related services of the program addressed? What are the facility requirements? What is the fiscal impact for continuum of services to districts? How does this request impact the infrastructure of the geographic regions within the SELPA?

Upon completion of its analysis, the Take Back/Continuum Committee is to make its recommendation to the PAC and the Business and Program Committees. The SELPA Director shall notify the regional provider of the program and services of the SELPA's intent to recommend the relocation, closure, Take Back or combining of a class/program/service to the Superintendents' Council.

A. Changes Requested by Regional Program Providers

Regional program providers shall submit a written request to the SELPA Director of its intent to discontinue or relinquish responsibility to provide a regional program and or related service by November 1st of the year preceding its action. The Superintendents' Council shall notify the regional provider of its authorization or denial of the request by the end of February of the year preceding the discontinuation of its responsibility to provide regional services. The same identification procedures and examination factors are to be used for all regionalized provider programs.

REGIONAL PROVIDERS OF RELATED SERVICES

Related Services within a Regionalized Program/Class Regional operators are responsible for making arrangements to provide related services for their programs. Failure to provide related services may deny the student appropriate erelated services and has the potential to deny the student FAPE and result in compensatory education and attorney's fees.

Regional providers are required to make these related services available regardless of cost or difficulty in procuring the services. Regional providers are encouraged to form partnerships with other districts or contract with outside agencies to obtain these services when it is appropriate or necessary.

When a related service has not been provided as called for by a student's IEP for twenty consecutive school days, the regional program provider shall notify the SELPA Director as well as any feeder districts it serves of this situation in writing to alert them of a potential problem and share the good faith efforts they have made to provide the related service.

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; the document title; and the physical location where the policy can be found.

1. Free Appropriate Public Education: 20 USC Section 1412(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)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that all children with disabilities have access to educational programs, non-academic programs, and services available to non-disabled children." The policy is adopted by the SELPA as stated:

Yes No

3. Child Find: 20 USC Section 1412(a)(3)

Policy/Procedure Number:

Document Title:

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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)**

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)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled. Special classes, separate schooling, or other removal of children with disabilities from the general educational environment, occurs only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily." The policy is adopted by the SELPA as stated:

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Yes No

6. Procedural Safeguards: 20 USC Section 1412(a)(6)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that children with disabilities and their parents shall be afforded all procedural safeguards according to state and federal laws and regulations." The policy is adopted by the SELPA as stated:

Yes No

7. Evaluation: 20 USC Section 1412(a)(7)

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

8. Confidentiality: 20 USC Section 1412(a)(8)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that the confidentiality of personally identifiable data, information, and records maintained by the LEA relating to children with disabilities and their parents and families shall be protected pursuant to the Family Educational Rights and Privacy Act, non-academic programs, and services available to non-disabled children." The policy is adopted by the SELPA as stated:

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Yes No

9. Part C to Part B Transition: 20 USC Section 1412(a)(9)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that children participating in early intervention programs under the Individuals with Disabilities Education Act (IDEA), Part C, and who will participate in preschool programs, experience a smooth and effective transition to preschool programs in a manner consistent with 20 USC Section 1437(a)(9). The transition process shall begin prior to the child's third birthday."The policy is adopted by the SELPA as stated:

Yes No

10. Private Schools: 20 USC Section 1412(a)(10)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA to assure that children with disabilities voluntarily enrolled by their parents in private schools shall receive appropriate special education and related services pursuant to LEA coordinated procedures. The proportionate amount of federal funds will be allocated for the purpose of providing special education services to children with disabilities voluntarily enrolled in private school by their parents." The policy is adopted by the SELPA as stated:

Yes No

11. Local Compliance Assurances: 20 USC Section 1412(a)(11)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that the local plan shall be adopted by the appropriate local board(s) (district/county) and is the basis for the operation and administration of special education programs,

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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)

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

13. Governance: 20 USC Section 1412(a)(13)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA to support and comply with the provisions of the governance bodies and any necessary administrative support to implement the local plan. A final determination that an LEA is not eligible for assistance under this part will not be made without first affording that LEA with reasonable notice and an opportunity for a hearing through the State Education Agency." The policy is adopted by the SELPA as stated:

Yes No

14. Personnel Qualifications

Policy/Procedure Number:

Document Title:

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Document Location:

"It shall be the policy of this LEA to ensure that personnel providing special education related services are appropriately and adequately prepared and trained, and that those personnel have the content knowledge and skills to serve children with disabilities. This policy shall not be construed to create a right of action on behalf of an individual student for the failure of a particular LEA staff person to be highly qualified or to prevent a parent from filing a State complaint with the California Department of Education (CDE) about staff qualifications." The policy is adopted by the SELPA as stated:

Yes No

15. Performance Goals and Indicators: 20 USC Section 1412(a)(15)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA to comply with the requirements of the performance goals and indicators developed by the CDE and provide data as required by the CDE." The policy is adopted by the SELPA as stated:

Yes No

16. Participation in Assessments: 20 USC Section 1412(a)(16)

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)

Policy/Procedure Number:

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Document Location:

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

Yes No

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

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)

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)

Policy/Procedure Number:

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Document Title:

Document Location:

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

Yes No

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

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)

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)

Policy/Procedure Number:

Document Title:

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Document Location:

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

Yes No

Administration of Regionalized Operations and Services

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 direct instructional support provided by program specialists; and the respective roles of the RLA/AU, the SELPA administrator, and the individual LEAs associated with the SELPA. Information provided should include the reference number, document title, and the location (e.g., SELPA office) for each function:

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

Reference Number:

Document Title:

Document Location:

The Superintendents' Council shall:

- Develop a Joint Powers Agreement to define operations of the SELPA
- Coordinate and implement the Stanislaus County SELPA Local Plan
- Adopt policy for the Stanislaus County SELPA
- Appoint the Stanislaus County SELPA Director
- Evaluate the Stanislaus County SELPA Director
- Approve agreements for Regionalized Services
- Adopt an operations budget for the Stanislaus County SELPA including regionalized services and program specialist
- Approve interagency agreements
- Approve the Annual Budget and Service Plan for submission to the state
- Monitor compliance as required by law
- Provide for an annual audit of all income and expenditures, as required by law
- Receive recommendations from the CAC, PAC, B & P, LEA Boards, as well as other concerned agencies and individuals
- Facilitate interagency coordination and development of agreements
- Facilitate non-public school/agency coordination and development of master contracts including rate setting on behalf of member LEAs and

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uniform procedures for individual service agreements

- Decide disputes between participating LEAs that arise concerning special education related matters or related to the interpretation of the Local Plan or Joint Powers Agreement (JPA) as well as other agreements or policies between or among the LEAs
- Resolve disputes between SELPAs
- Resolve transportation issues in accordance with the contract between the Stanislaus County SELPA; the Modesto City SELPA and/or the transportation provider for the SELPAs

LEA Responsibilities: Policies Addressing LEA Responsibilities shall include, but not be limited to:

- Child Find
- Coordination and implementation of the Stanislaus County SELPA Local Plan, to include:
 - Procedural safeguards
 - Records and report requirements
 - Programs and services
 - Students and eligibility criteria
 - Uniform procedures for notification, identification, referral, assessment, Individualized Education Plan (IEP) development, implementation, and review, and placement
 - Transportation
 - Complaints and hearings
 - Private Schools
 - Personnel Standards
 - Participation in state/district-wide assessments
 - Hospital/Foster/Licensed Children Institution (LCI)/Juvenile Court schools
 - Equipment and services
 - Consideration of general education resources after referral

Regionalized Services: Policies Addressing Regionalized Services shall include but not be limited to:

- Provision of program specialist service
- Evaluation, program review, and data collection as required
- Curriculum and program development, as required
- Provision of SELPA personnel and employment standards
- Provision of regionalized staff development
- Resource allocation and distribution according to policy
- Dispute resolution to support parents and LEAs in resolving conflict
- Coordination of necessary services
- Other responsibilities as assigned by Superintendents' Council

2. Coordinated system of identification and assessment:

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Reference Number:

Document Title:

Document Location:

Description:

3. Coordinated system of procedural safeguards:

Reference Number:

Document Title:

Document Location:

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- Upon receipt of the first state compliance complaint and upon receipt of the first due process complaint in a school year
- When a decision is made to remove a student because of a violation of a code of conduct which constitutes a change of placement
- Upon request by a parent/guardian.

The procedural safeguards notice shall be in a language easily understood by the general public and in the parent/guardian's native language or other mode of communication used by them, unless to do so is clearly not feasible. If the native language or other mode of communication of the parent/guardian is not a written language, the district shall take steps to ensure that the notice is translated orally or by other means and that the parent/guardian understands the contents of the notice.

The District may place a copy of the procedural safeguards notice on the district's website.

Complaints

Stanislaus County SELPA and member districts shall follow Stanislaus County SELPA policies and regulations that identify the person(s), employee(s), agency position(s) or unit(s) responsible for ensuring compliance with state and federal law and for receiving and investigating complaints alleging noncompliance or discrimination.

The district Superintendent or designee shall address a complaint concerning compliance with state or federal law regarding special education in accordance with the district's uniform complaint procedures. Parents may file a compliance complaint regarding special education through the California Department of Education Special Education Division. Complaints concerning compliance with state or federal law regarding special education may also be addressed in accordance with the district's uniform complaint procedures.

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

Reference Number: 3-34

Document Title: Coordinated system of staff development and parent and guardian education

Document Location: SEPA Policy Manual

The SELPA's staff development program shall assist educational staff in developing knowledge and skills to effectively ensure access and progress in the general curriculum for students with disabilities. Training shall be provided to

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administrators, general education teachers, special education teachers, support staff, and paraprofessionals.

The SELPA Director shall involve teachers, site and district administrators, and others, as appropriate, in the development of the district's staff development program. He/she shall ensure that the SELPA's staff development program is aligned with district needs.

The purpose of the Community Advisory Committee is to educate and serve as a resource to other parents and community members regarding the needs of special education students as well as building community awareness, resources and support for parents with children in the special education system. The group also serves in an advisory capacity to the SELPA regarding the Local Plan and other parent training opportunities.

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

Reference Number:

Document Title:

Document Location:

Description:

The SELPA shall develop and implement a coordinated system of curriculum development and alignment with the core curriculum.

Each LEA within the Stanislaus County SELPA will have in its governing board policies specific references to the development and implementation of a coordinated system of curriculum development and alignment with the core curriculum.

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

Reference Number:

Document Title:

Document Location:

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Description:

1. The coordination and implementation of the Stanislaus County Special Education Local Plan shall be the responsibility of the Stanislaus County SELPA Program Advisory Committee and Business and Program Committee. These committees shall be composed of the Special Education Administrators from each of the twenty-five (25) participating Districts and the County Office of Education in the Local Plan Area.

2. The Stanislaus County SELPA Director is an ex-officio member and serves as Secretary of the committees.

3. The Program Advisory Committee and the Business and Program Committee shall meet monthly during the school year or as needed.

4. The Program Advisory Committee and Business and Program Committee make recommendations to the Stanislaus County SELPA Director regarding the development of policies and regulations as well as the general operations of the SELPA. These recommendations are to include, but not be limited to, the following:

- A. establishment of priorities for the provision of services.
- B. modification of the Local Plan.
- C. development of the Stanislaus County SELPA budget.
- D. evaluation of Professional Development activities.
- E. development of the resource allocation policies.
- F. development of the service delivery policies.
- G. the making of recommendations for the procedures manual.

5. In addition, the Program Advisory Committee and Business and Program Committees will be responsible for:

- a. Coordination of SELPA provided regionalized services with LEA services.
- b. Coordination of student and program placement.
- c. Coordination of transportation services.

The Program Advisory Committee and Business and Program Committee and/or the SELPA Director may create standing committees to assist with these recommendations.

The Program Advisory Committee and Business and Program Committee may be assigned other responsibilities by the Superintendents' Council.

7. Coordinated system of data collection and management:

Reference Number:

3-37

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Document Title:

Document Location:

Description:

8. Coordination of interagency agreements:

Reference Number:

Document Title:

Document Location:

Description:

9. Coordination of services to medical facilities:

Reference Number:

Document Title:

Document Location:

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Description:

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

Reference Number:

Document Title:

Document Location:

Description:

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

Reference Number:

Document Title:

Document Location:

Description:

12. Fiscal and logistical support of the CAC:

Reference Number:

Document Title:

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Document Location:

Description:

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

Reference Number:

Document Title:

Document Location:

Description:

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

Reference Number:

Document Title:

Document Location:

Description:

The Stanislaus County SELPA shall coordinate career and vocational education and transition services. An example of this is:

Transition services (designed with a results oriented process focused on improving academic functional achievement of the student) must be addressed in the IEP of the student not later than in the year in which he/she turns 16-15 years of age. The goal of transition services is planned movement from secondary education to adult life that provides opportunities which maximize economic and social independence in the least restrictive environment for individuals with exceptional needs. Planning for transition from school to postsecondary environments should begin in the school system well before the student leaves the system.

(30 EC 56460)

Transition is all about planning for a student's future and how academic courses, functional curriculum and vocational activities help move a student towards the future goal. Discussion about transition or future planning should be addressed at the beginning of the IEP team meeting so that the IEP team is focused throughout the meeting on helping the student work towards his or her future goals.

15. Assurance of full educational opportunity:

Reference Number:

Document Title:

Document Location:

The Stanislaus County SELPA member districts and LEAs shall provide pupils with disabilities access to educational programs and services available to non-disabled pupils including non-academic and extra-curricular services and activities as appropriate. The LEAs and Stanislaus County SELPA shall monitor the provision of special education services to ensure compliance with applicable state and federal laws and with the SELPA Local Plan.

Accommodations, modifications and/or supplemental aids and services shall also be

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provided as needed for students who are eligible for services under Section 504 of the Federal Rehabilitation Act of 1973, the American with Disabilities Act and related federal regulations.

Information shall be provided by member districts and LEAs concerning the number of individuals with exceptional needs who are being provided special education and related services (Education Code 56195.8). This information is reported to the California Department of Education.

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.

Reference Number: SELPA Policy Section 1

Document Title: Funding Allocation

Document Location: SELPA Policy Manual

Description:

The SELPA Director with SELPA staff shall prepare annually a budget draft for review and approval by the Superintendents' Council.

The following services are considered typical of the SELPA operation and will be included in the SELPA budget:

- A. Administration of the SELPA budget:
 - 1) Full time SELPA Director and one FTE Confidential Executive Assistant.
 - 2) Operation and support of the Governance and Program Committees
 - 3) Coordination of program delivery throughout the County, and
 - 4) Calculation of all district program costs
- B. The SELPA will be housed by the Administrative unit (AU) currently assigned to the County Office. The SELPA does not pay rent for office facilities but can include the cost of deferred maintenance, custodial and utilities.
- C. Operating a Management Information System (MIS) that will meet the reporting requirements and provide information desired by the districts. This currently includes:
 - 1) Development of December and End of Year pupil counts (*CASEMIS reporting*)
 - 2) Reporting of classes including teachers assigned
 - 3) Provisions for various reports and data for use by the districts
 - 4) Processing of ADA reports NPS and LCI
- D. A separate monthly budget will be prepared regarding coordination of

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student transportation.
E. Coordinating student transportation and acting as liaison with the contractor, school and parents. Insure the contractor is providing adequate service, operating a realistic number of miles for the students being transported, and billing an accurate amount for the services being provided.

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

Reference Number: SELPA Policy Manual Section 4

Document Title: Operations and Personnel

Document Location: SELPA Policy Manual

Description:

Role and Function of Program Specialists provide a range of services in both public and non-public, non-sectarian schools as well as with non-public agencies to include:

1. Observe, consult with, and assist regular and special education staff.
2. Plan programs, coordinate curricular resources, and evaluate effectiveness of programs for individuals with exceptional needs.³
3. Assist with staff development, program development, and innovation of special methods and approaches.
4. Support the assurance that pupils have full educational opportunity regardless of the district of residence.
5. Work on a consultative basis with principals and administrators who operate special education programs.
6. Coordinate placement of students outside their district of residence.
7. Assist with dispute resolution and legal compliance.
8. Serve as liaison and consultant to other professionals, appropriate agencies and the community.

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Special Education Local Plan Area Services

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

Reference Number: SELPA Procedures Section 1

Document Title: Identification and Referral

Document Location: SELPA Procedures Manual

The Early Intervention Program is a federally funded family-centered program for infants and toddlers (birth to thirty-six months) with developmental delays, or who are at risk for developmental delays. The intent of the program is to develop and implement a comprehensive, coordinated, interagency system of early intervention services. The program is operated under an agreement between the Valley Mountain Regional Center (VMRC) and the Stanislaus SELPA.

Referrals

Anyone can make a referral, including parents, medical care providers, neighbors, family members, foster parents, and day care providers. In most cases, parents discuss their concerns for their child with the child's health care provider or doctor. When this happens, the health care provider or doctor routinely advises the parent to contact VMRC or the infant/toddler's district of residence (DOR) to request an evaluation for their child. If the child has a visual impairment, hearing impairment, or severe orthopedic impairment, or any combination of these, district representative are advised to contact the intake representatives of SCOE Early Intervention programs and VMRC to assist the parent complete a referral and start the evaluation process. Parent-to-parent support and resource information will also be made available.

No later than 90 days before the child's third birthday, the child's district of residence must be notified as all Early Start children are "potentially eligible" for special education and related services at age three; therefore, all Early Start children must be referred to Part B. This notification may also serve as a referral to Part B services if a child was referred to a lead agency less than 45 days prior to 3rd birthday. Parents may elect to "opt out" for Part B assessment / evaluation once they are contacted by LEA.

Eligibility

Infants and toddlers from birth to 36 months may be eligible for early intervention services if, through documented evaluation and assessment, they meet one of the criteria listed below:

1. Require intensive special education and servicing by having a developmental delay as determined by a significant different between the expected level of development for their age and the current level of functioning in one or more of the five developmental areas: cognitive, communication, social or emotional, adaptive, or physical and motor development including vision and

hearing. A significant difference is defined as a 33% delay in one or more areas of development before 24 months of age or older at the time of referral, with a 50% delay in one area of development or a 33% delay in two or more areas of development;

2. Require intensive special education and services by having a disabling medical condition or congenital syndrome which the individual family service plan (IFSP) team determines has a high predictability of requiring intensive special education and service;
3. Have an established risk condition of known etiology or with established harmful developmental consequences, with a high probability of leading to delayed development.
4. Are at high risk of having substantial developmental disability due to a combination of biomedical risk factors.

(California Government Code: [Section 95014\(a\)](#)); 5 CCR 3031)

Individual Family Service Plan (IFSP)

A meeting to develop an initial IFSP will be convened for each eligible infant within 45 calendar days of receipt of the written referral and will include the parent, service coordinator and assessment staff. Other family members are welcome to attend. A translator will be provided if necessary. At this meeting, the IFSP document is completed. The IFSP consists of:

1. A statement of the family's resources, priorities and concerns related to enhancing the development of the infant;
2. A statement of the infant's or toddler's present levels of development in each of the areas assessed, based on measured evidence including vision, hearing, and health status, cognitive development, communication development, social and emotional development, and adaptive development;
3. A statement of the major outcomes expected for the infant or toddler and family where services for the family are related to meeting the special developmental needs of the infant;
4. The criteria, procedures, and timelines used to determine the degree to which progress toward achieving the outcomes is being made and whether modifications or revisions are necessary.
5. A statement of the specific early intervention services necessary to meet the unique needs of the infant and family.

A periodic review of the IFSP shall be conducted every six months or more frequently, if conditions warrant. The purpose of the review is to determine the degree to which progress is being made and whether modifications of the IFSP are necessary. The periodic review may be conducted in a meeting or another means that is acceptable to the parents, such as a phone call or email. Documentation that

Description:

the review has been conducted will be entered in the record.

Procedural Safeguards

All Federal, State and Stanislaus SELPA Procedural Safeguards apply to infants and toddlers under Part C including mediation and due process procedures.

Provision of Service

Based on the child's assessed developmental needs and the families concerns and priorities as determined by each child's Individualized Family Service Plan (IFSP) team, early intervention services may include:

- assistive technology
- audiology
- family training, counseling, and home visits
- health services
- medical services for diagnostic/evaluation purposes only
- nursing services
- nutrition services
- occupational therapy
- physical therapy
- psychological services
- service coordination (case management)
- social work services
- special instruction
- speech and language services
- transportation and related costs
- vision services

Transition to Preschool

To ensure the transition of a toddler to preschool under Part B and/or other services that may be available, appropriate representatives of the Regional Center, SCOE Early Intervention staff and District of Residence staff shall participate in a joint transition planning meeting to be held not less than ninety (90) days or more than nine months before the child reaches age three.

The transition conference may occur as early as 2 years 3 months of the child's age. The transition plan is actually a part of the IFSP and not a separate document.

A toddler shall be assessed for eligibility for special education and related services under Part B and, if eligible, and IEP or IFSP shall be developed and implemented by the child's third birthday.

For any child referred to the infant program 44 days or less from 3rd birthday the following steps shall occur:

1. Discussions with, parent s regarding the referral to special education for a toddler with a disability who may be eligible for Part B services.
2. No evaluation/ assessment/ IFSP required by early start, but must notify the LEA the child may be "potentially eligible" for Part B.

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If a child continues to be eligible after transitioning from Part C to Part B, each LEA in the SELPA provides several programming options along a spectrum of placement from solely direct services that the child accesses (such as speech/language support) through specialized day classes for children with severe needs. Depending on each LEA's options, children may also have access to state preschools and Head Start programs. This availability varies from LEA to LEA.

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:

Reference Number:

Document Title:

Document Location:

Description:

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:

Reference Number:

Document Title:

Document Location:

Description:

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

Reference Number:

Document Title:

Document Location:

Description:

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

Reference Number:

Document Title:

Document Location:

Section B: Governance and Administration

SELPA Stanislaus County SELPA

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Description:

at minimum, both of the following:

- (a) An onsite visit to the nonpublic, nonsectarian school before placement of a student if the LEA does not have any students enrolled at the school at the time of placement.
- (b) At least one onsite monitoring visit during each school year to the nonpublic, nonsectarian school at which the LEA has a student attending and with which it maintains a master contract. The monitoring visit shall include, but is not limited to, a review of services provided to the student through the individual service agreement between the LEA and the nonpublic, nonsectarian school, a review of progress the student is making towards the goals set forth in the student's IEP, a review of progress the student is making toward the goals set forth in the student's behavioral intervention plan, if applicable, an observation of the student during instruction, and a walkthrough of the facility. The LEA shall report the finding resulting from the monitoring visit to CDE within 60 calendar days of the onsite visit.

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)

Reference Number: SELPA Policy 6-9

Document Title: Services to Adult Students in County Jail Facilities

Document Location: SELPA Policy Manual

FREE APPROPRIATE PUBLIC EDUCATION (FAPE)

Every individual with exceptional needs who is eligible to receive special education instruction and related services under the Individuals with Disabilities Education Act

(IDEA) and state special education laws, shall receive that instruction and those services at no cost to his or her parents or, as appropriate, to him or her. A FAPE shall be available to individuals with exceptional needs in accordance with Section 1412(a) (1) of Title 20 of the United States Code and Section 300.101 of Title 34 of the Code of Federal Regulations.

ELIGIBLE ADULTS

Adults who are aged 18 through 22 years, who have not graduated with a high school diploma, who, at the time they turned 18 years were identified as an individual with exceptional needs and had an individualized education program (IEP) under the IDEA, are also entitled to a PAPE (hereinafter, "eligible adults"). (See 20 U.S.C. § 1400 (d) (1) (A), (B), (C); 20 U.S.C. § 1412(a) (1) (A); Cal. Educ. Code, §§ 56000, 56040(b).) This applies to adults incarcerated in California adult jails and prisons.

However, an individual aged 18 through 22 years, who, in the educational placement prior to his or her incarceration in an adult correctional facility was not identified as an individual with exceptional needs or did not have an IEP under the IDEA, is not entitled to a FAPE. (20 U.S.C. § 1412(a) (1) (B); Cal. Educ. Code, § 56040(b).)

DISTRICT OF RESIDENCE

Description:

For eligible adults who prior to reaching the age of majority resided within the Stanislaus County SELPA geographic boundaries, the applicable local educational agency (LEA) within the SELPA shall ensure they have available to them a FAPE. Generally, the district of residence responsible for providing special education and related services to pupils between the ages of 18 to 22 years, inclusive, shall be assigned, as follows:

- (a) For non-conserved pupils, the last district of residence in effect prior to the pupil's attaining the age of majority shall become and remain as the responsible local educational agency, as long as and until the parent or parents relocate to a new district of residence. At that time, the new district of residence shall become the responsible local educational agency.
- (b) For conserved pupils, the district of residence of the conservator shall attach and remain the responsible local educational agency, as long as and until the conservator, relocates or a new one is appointed. At that time, the new district of residence shall attach and become the responsible local educational agency.

(Cal. Educ. Code, § 56041)

INDIVIDUALIZED EDUCATION PROGRAM (IEP)

Once SELPA or the responsible LEA is informed that an eligible adult is incarcerated in an adult correctional facility, the responsible LEA will determine whether the eligible adult requests to receive FAPE. Once the request has been made,

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the responsible LEA shall review and revise the IBP as necessary, subject to the cooperation of the correctional facility where the eligible adult is located. The eligible adult must consent to the receipt of such services in order to receive said services while incarcerated.