

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



California Department of Education
Special Education Division
January 2020

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B. Governance and Administration

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

Participating Local Educational Agencies

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

Special Education Local Plan Area—Local Plan Requirements

1. Describe the geographic service area covered by the local plan:

The local education agencies (LEAs) within Tehama County and the Tehama County Department of Education join together pursuant to Education Code Section 56195.1 (c) to adopt a plan in accordance with Education Code Section 56205 to assure equal access to special education and services for all eligible persons with disabilities residing in the geographic area served by these agencies, hereafter known as the Tehama County Special Education Local Plan Area (Tehama County SELPA). In adopting the Local Plan, each participating agency agrees to carry out the duties and responsibilities assigned to it within the plan. Participating agencies may enter into additional contractual arrangements to meet the requirements of applicable federal and state laws.

Participating LEA in the Geographical Boundaries of Tehama County SELPA:

Antelope School District
Corning Union Elementary School District
Corning Union High School District
Evergreen Union Elementary School District
Flournoy Elementary School
Gerber Union Elementary School
Kirkwood Elementary School
Lassen View Union Elementary School District
Los Molinos Unified School District
Red Bluff Joint Union High School District
Red Bluff Union Elementary School District
Reeds Creek Elementary School District
Richfield Elementary School District
Tehama County Department of Education

Participating LEAs in the SELPA also agree to adhere to SELPA Agreement 1 (Intent), SELPA Agreement 2 (Service Delivery within Tehama County SELPA), and SELPA Agreement 9 (Preschool Continuum of Service) further defining geographical service area. These Agreements can be found within the SELPA Office at 900 Palm Street, Red Bluff, Ca 96080.

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2. Describe the SELPA regional governance and administrative structure of the local plan. Clearly define the roles and structure of a multi-LEA governing body, or single LEA administration as applicable:

Governance Council

The Governance Council is the governing body for the Tehama County SELPA. The Governance Council is comprised of the superintendents from each participating LEA and the TCDE. Superintendents are responsible to each of their respective governing boards. The superintendent of the Administrative Unit serves as the chairperson for the Governance Council. The SELPA Administrator is an ex-officio member. The SELPA Governance Council is charged with the responsibility of adopting appropriate policies regarding the implementation of the Local Plan for Special Education. Each LEA superintendent by participation in the Governance Council is charged with overseeing the operations of the Local Plan and implementing the policies adopted. Information is transmitted to the SELPA Executive Council for implementation of the directives and policies and for the development of procedures. The SELPA Administrator provides a coordinating function and serves as staff to each of the groups. Thus, a smooth and efficient operation of the administrative structure is achieved to assure a successful implementation of the Local Plan for Special Education in accordance with the policies adopted by the SELPA Governance Council.

All council members have one vote and decisions will be made by a two thirds majority vote except in circumstances where state or federal mandates require a unanimous vote. Designees may attend meetings on behalf of a superintendent but may not be voting members. A quorum shall consist of 10 members. A two thirds majority vote, in this instance, must include at least 5 districts that are program operators and 1 district that is not a program operator.

The Governance Council meets a minimum of two times per school year. All meetings of the council shall be held according to Brown Act requirements. The notice and minutes of all regular meetings shall be sent to all district superintendents, the president of the Community Advisory Committee (CAC), and others as requested. The SELPA Administrator prepares agendas and disseminates minutes from Governance Council meetings.

The responsibilities of the Governance council include but are not limited to the following:

- to appoint representatives to the Executive Committee,
- to review and take action to approve or deny amendments to the local plan,
- to make changes in the allocation model and expenditure agreements as necessary,
- to approve or deny requests for program transfers and
- to address any other items determined necessary by the Executive Committee.

Administrative Unit (AU)

The Tehama County Department of Education (TCDE) shall serve as the AU for the SELPA.

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In adopting the Local Plan, each participating agency agrees to carry out the duties and responsibilities assigned to it within the plan.

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:

Executive Committee

The Executive Committee is comprised of the following:

- the superintendent of the administrative unit (TCDE)
- the superintendent from each LEA that is designated a program operator
- the superintendent from three LEAs that do not operate special education program

The Executive Committee shall appoint members to serve as chair and vice-chair. Members shall be appointed for two years and may be re-appointed for additional terms. Appointments shall take effect in July. The SELPA Administrator is an ex-officio member.

Each representative shall have one vote and decisions will be made by majority vote except in circumstances where state or federal mandates require a unanimous vote. A majority vote must include at least one vote from an LEA that does not operate special education programs. A quorum shall consist of 7 members present. A majority vote, in these cases, must include at least one district that is not a program operator. Designees may attend meetings on behalf of a superintendent but may not be voting members.

The Executive Committee shall meet not less than 4 times per school year, but may meet more often as needed. Additional meetings may be called at the request of any representative on the committee. All meetings of the committee shall be held according to Brown Act requirements. The committee chair(s) and the SELPA Administrator shall prepare the agenda for each meeting; the SELPA Administrator shall provide all support materials. The chair or vice-chair shall conduct the meeting.

The notice and minutes of all regular meetings shall be sent to all district superintendents, the president of the Community Advisory Committee (CAC), and others as requested.

Executive Committee responsibilities shall include, but not be limited to:

- Recommending action on proposed amendments to the local plan to the Governance Council.
- Recommending allocation plans for the distribution of federal, state and local funds allocated for special education programs to the Governance Council.
- Taking action to approve or deny annual service and budget plans and revisions to those

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plans.

- Taking action to approve or deny SELPA policies, administrative regulations, procedures, resolutions, and guidelines for the management and implementation of special education programs and services within the SELPA.
- Collaborate with the Administrative Unit regarding the recruitment, selection and evaluation of the SELPA Administrator.
- Providing direction to the SELPA Administrator for regionalized and program specialist services.
- Directing that data be gathered, interpreted, and reported regarding the implementation, administration and operation of the local plan.
- Reviewing data in order to monitor planned and actual accomplishments of special education programs in the districts that comprise the local plan.
- Authorizing ad hoc committees for the purpose of assisting the Executive Committee to study and explore solutions regarding designated issues.
- Analyze, review and make appropriate recommendations regarding fiscal issues that impact the SELPA to the Governance Council.
- Collaboration among members to develop policies and implement the Local Plan to ensure that all students within the SELPA are provided with a continuum of services and free and appropriate public education

Special Focus Other Committees

Subject to approval from the governing council or executive committee, the SELPA Administrator may convene Ad Hoc Committees and appoint members as needed to address current issues. Membership on these committees is designed to fulfill a particular task within a specified time frame. SELPA personnel or selected representatives will serve as chairpersons of committees.

Each district governing board and the Tehama County Department of Education shall have authority over the programs it directly maintains consistent with the local plan. Regional programs operated on behalf of the SELPA are subject to oversight by the SELPA Governing Board according to SELPA policies and procedures. Each agency shall provide special education and services to all eligible students within its boundaries, including students attending charter schools where a LEA of the SELPA has granted that charter. Charter schools with LEA status in the SELPA are responsible for special education services according to the provisions of the SELPA's Charter School policy. 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 LEA of residence program. Such cooperation ensures that a range of program options is available throughout Tehama County. The county office or district governing boards may enter into agreements to provide service to pupils in special education programs maintained by other districts or counties and may include within their special education programs pupils residing in other districts or counties.

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Participating LEAs in the SELPA also agree to adhere to SELPA Agreement 1 (Intent), SELPA Agreement 2 (Service Delivery within Tehama County SELPA), and SELPA Agreement 9 (Preschool Continuum of Service). This Agreement can be found within the SELPA Office at 900 Palm Street, Red Bluff, Ca 96080. In adopting the Local Plan, each participating agency agrees to carry out the duties and responsibilities assigned to it within the plan.

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 Unit (AU)

The Tehama County Department of Education (TCDE) shall serve as the AU for the SELPA and perform the following functions:

- Receive and distribute special education funds for the operation of special education programs and services, according to the locally approved Special Education Funding Allocation Plan.
- Provide administrative support, including establishing and maintaining an office for SELPA staff.
- Employment of staff as necessary to carry out the implementation of the local plan.
- Collaborate with the Executive Committee in the recruitment, hiring, supervision and evaluation of the SELPA Administrator.
- Collaborate with the Executive Committee regarding the recruitment and employment of staff hired in support of SELPA operations.

The Tehama County Department of Education (AU) provides certain special education programs and services as approved by the SELPA Governance Council. The AU is reimbursed by the participating districts for the excess costs related to the provision of services by the TCDE and SELPA Office according to the SELPA approved billback formula.

The Tehama County Department of Education is designated as the Administrative Unit (AU) for the SELPA. In adopting the Local Plan, each participating agency agrees to carry out the duties and responsibilities assigned to it within the plan.

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

Request for SELPA Membership by a Charter School

Charter schools may participate in the local plan either as a school within a participating LEA or as an LEA approved by the SELPA.

A request by a charter school to participate as an LEA in the Tehama County SELPA will not be treated differently from a similar request made by a school district. In reviewing and approving such a request, the following requirements shall apply:

- The charter school shall participate in state and federal funding for special education and receive funding in the same manner as other LEAs of the SELPA as specified in the SELPA funding allocation plan.
- The charter school shall participate in the governance of the SELPA in the same manner as other LEAs of the SELPA

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:

Community Advisory Committee (CAC)

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

CAC members shall be appointed by and responsible to LEA governing boards. The SELPA Administrator or designee serves as ex officio member of the CAC and acts as the liaison between the CAC, the Executive Committee and the Governance Council.

CAC responsibilities include:

- Advising the policy and administrative entity on the development, amendment, and review of the local plan.
- Recommending annual priorities to be addressed by the SELPA.
- Assisting in parent education and in recruiting parents and other volunteers who may contribute to the implementation of the plan.

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- Encouraging community involvement in the development of the local plan.
- Supporting activities on behalf of individuals with exceptional needs.
- Assisting in parent awareness of the importance of regular school attendance.

The CAC shall meet no less than two times per year. All meetings of the committee shall be held according to law and the Brown Act. Announcements of CAC meetings and activities will be distributed to parents of children with special needs in the SELPA. In addition, information will be posted on the SELPA web page.

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:

The SELPA Administrator shall be responsible for the coordination of the development of any proposed amendments to the local plan.

Amendments to the permanent portion of the local plan may be considered at any time. The Governance Council may adopt changes to the local plan on an interim basis, not to exceed one school year. To formally adopt proposed and interim amendments the following procedure shall be followed:

- A committee comprised of representatives of special and regular education teachers and administrators as well as parent members of the CAC or parents selected by the CAC shall be convened to provide input and make recommendations regarding the proposed or interim amendments to the local plan. (EC 56195.9). The CAC shall meet no less than two times per year. All meetings of the committee shall be held according to law and the Brown Act. Announcements of CAC meetings and activities will be distributed to parents of children with special needs in the SELPA. In addition, information will be posted on the SELPA web page.
- The CAC and other advisory groups as determined appropriate by the SELPA Administrator will review the recommended amendments to the local plan, as presented by the committee, and provide additional input and revision, if needed.
- The Executive Committee will review the recommended amendments, propose any final revisions, and submit the final draft to the Governance Council for approval.
- The Governance Council will review and approve the final draft amendments of the local plan and submit to the LEA governing boards for approval.
- LEA governing boards will review and take action on the recommended amendments to the local plan within 60 days of submission from the Governance Council.
- Amendments require the approval of each LEA governing board.
- Following approval by all LEA governing boards, the SELPA will submit the local plan to the California Department of Special Education for submission to the State Board of

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Education.

Members of the public, including parents or guardians of students with disabilities, may address questions or concerns to the governing boards of each LEA, the SELPA Governance Council, the Executive Committee, and/or the CAC. Opportunities for public input will be included on agendas of each committees.

The Tehama County SELPA Administrator and District Special Education Administrators are also available to meet with parents or members of the public who may have questions or concerns. Meetings can be arranged by contacting the SELPA office.

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:

Administrative Unit (AU)

The Tehama County Department of Education (TCDE) shall serve as the AU for the SELPA. and perform the following functions:

- Receive and distribute special education funds for the operation of special education programs and services, according to the locally approved Special Education Funding Allocation Plan.
- Provide administrative support, including establishing and maintaining an office for SELPA staff.
- Employment of staff as necessary to carry out the implementation of the local plan.
- Collaborate with the Executive Committee in the recruitment, hiring, supervision and evaluation of the SELPA Administrator.
- Collaborate with the Executive Committee regarding the recruitment and employment of staff hired in support of SELPA Operations.

The Tehama County Department of Education (AU) provides certain special education programs and services as approved by the SELPA Governance Council. The AU is reimbursed by the participating districts for the excess costs related to the provision of services by the TCDE and SELPA Office according to the SELPA approved billback formula.

The Tehama County Department of Education is designated as the Administrative Unit (AU) for the SELPA. In adopting the Local Plan, each participating agency agrees to carry out the duties and responsibilities assigned to it within the plan.

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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 adopting the Local Plan, each participating agency agrees to carry out the duties and responsibilities assigned to it within the plan. Participating agencies may enter into additional contractual arrangements to meet the requirements of applicable federal and state laws.

Each district governing board and the Tehama County Department of Education shall have authority over the programs it directly maintains consistent with the local plan. Regional programs operated on behalf of the SELPA are subject to oversight by the SELPA Governing Board according to SELPA policies and procedures. Each agency shall provide special education and services to all eligible students within its boundaries, including students attending charter schools where a LEA of the SELPA has granted that charter. Charter schools with LEA status in the SELPA are responsible for special education services according to the provisions of the SELPA's Charter School policy. 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 LEA of residence program. Such cooperation ensures that a range of program options is available throughout Tehama County. The county office or district governing boards may enter into agreements to provide service to pupils in special education programs maintained by other districts or counties and may include within their special education programs pupils residing in other districts or counties.

The SELPA provides intensive special education services to infants with low incidence disabilities birth through age two. Through its agreement with the Far Northern Regional Center, and the Shasta County Office of Education, the SELPA coordinates the smooth transition of services for infants who are eligible for services upon turning age three.

The SELPA has established a systematic method of referral for all students age three to five years of age suspected of being disabled and in need of services. The SELPA provides a full continuum of services for all students age three to five found eligible pursuant to EC 56441.11.

Services for infants and children three to five years of age with disabilities are updated yearly and described in detail in the SELPA Annual Service Plan included herein.

Oversight of Nonpublic School Placements

The SELPA Administrator, in collaboration with the appropriate LEA representatives, shall annually review the placement of each student attending a nonpublic, nonsectarian school to determine if all contracted services are being provided and whether the student is making satisfactory progress toward returning to a public school placement.

The review will include an analysis of the evaluations conducted by the nonpublic, nonsectarian school to ensure that they were appropriate and valid for measuring pupil progress. The LEA may choose to administer additional assessments as necessary, with parent consent where

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required, to determine whether the pupil is making adequate educational progress.

Participating LEAs in the SELPA also agree to adhere to SELPA Agreement 1 (Intent), SELPA Agreement 2 (Service Delivery within Tehama County SELPA), SELPA Agreement 9 (Preschool Continuum of Service), SELPA Administrative Regulation 34 (Non Public Schools) further defining LEA responsibility and contractual agreements. These Agreement can be found within the SELPA Office at 900 Palm Street, Red Bluff, CA 96080.

10. For multi-LEA local plans, specify:

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

LEA Governing Boards

The governing board of each participating school district authorizes its district's participation in the Tehama County Local Plan for Special Education through its approval of the local plan. The local governing board responsibilities include, but are not limited to:

- Approval of the local plan.
- Approval for the operation of district special education programs
- Adoption of policies and procedures for special education programs and services within their districts.
- LEA compliance with all elements of the local plan.
- Input on SELPA policies and procedures through the district superintendent's participation on the Governance Council.
- Appointment of representatives to the CAC.

Tehama County Department of Education Governing Board

The governing board for the Tehama County Department of Education is responsible for the appointment of members to the CAC and serves as the appellate body in cases related to the expulsion of special education students. The governing board participates in the development of SELPA policies and procedures through the county superintendent's membership on the SELPA Governance Council.

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

LEA and COE Superintendents

The district superintendents are responsible to their respective Boards of Education. The district superintendents and county superintendent participate on the SELPA Governance Council and assist in the development and approval of policies for the operation of the Special Education Local Plan Area.

Local superintendents are responsible for preparing their district's special education budgets and

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for the operation of programs and services within their districts, as well as maintenance and operation of the physical plants housing special education programs and services.

Responsibilities of the Local Education Agency (County and District) Superintendent in the implementation of the Local Plan include, but are not limited to the following:

- Assist in the identification of special education program and service needs for the Tehama County SELPA through participation on the Governance Council.
- Communicate SELPA information to their governing boards.
- Collecting information on program operations and reporting to the SELPA Administrator
- Managing the operation of local special education programs and services
- Providing assistance in due process and complaint procedures

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

Local Educational Agency (LEA)

LEA's are responsible for ensuring that children with disabilities are educated in the least restrictive environment. Placement in special education programs or services occurs only when the nature or severity of the disability is such that the child's education, even with the use of modifications of the general education program or use of supplementary aids or programs, cannot be achieved satisfactorily. Children with disabilities are served in their home districts whenever the needs identified on the individualized education program can be met within the home district.

LEAs are allocated special education funds based on their ability to meet all of the following requirements:

- demonstrate fiscal capability,
- demonstrate the ability to comply with student IEPs,
- to provide adequate support of special education staff,

and are subject to local plan policies and agreements. LEA's, authorized by the Governance Council, are allocated funds based on the SELPA funding allocation plan and operate their own special education programs/services. LEA's that do not receive special education funding are provided services through the TCDE or by arrangement with another LEA or authorized non-public school.

LEA responsibilities include, but are not limited to:

- Coordinating and conducting child find activities.
- Identifying and serving students in medical, foster or LCI facilities.
- Participating in state/district-wide assessments.
- Operating special education programs and services according to SELPA guidelines
- Complying with state and federal laws and regulations regarding special education.
- Responding to compliance and due process complaints and implementing the decisions of

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compliance investigations or due process hearings.

- Utilizing the same management information system, forms, procedures and guidelines as all other districts within Tehama County.
- Collecting and completing state and federal report requirements; including California Longitudinal Pupil Achievement Data System (CALPADS) submissions, reports, self-reviews, and verification reviews.
- Monitoring the appropriate use of federal, state and local funds.
- Complying with state and federal requirements regarding maintenance of effort (MOE)
- Cooperation with other LEAs to ensure the provision of services to all identified students in the SELPA

The Tehama County Department of Education is designated as the Administrative Unit (AU) for the SELPA. In adopting the Local Plan, each participating agency agrees to carry out the duties and responsibilities assigned to it within the plan. Participating agencies may enter into additional contractual arrangements to meet the requirements of applicable federal and state laws.

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 SELPA Administrator for the Tehama County SELPA serves two important functions, administrator of the SELPA and program administrator for the Tehama County Department of Education. Because of the dual nature of this position, all matters related to the hiring, supervision and evaluation of this person shall be performed by the AU in collaboration with the Executive Committee. The SELPA Administrator assures equal access to all programs and services in the SELPA and provides advice to members of the public, including parents or guardians of individuals with exceptional needs who are receiving services under the local plan, on the availability of established due process and legal service options and procedures. In cooperation with the California Department of Education, the SELPA Administrator provides information to ensure that all special education pupils receive due process of law.

The Executive Committee collaborates with the Administrative Unit regarding the recruitment, selection and evaluation of the SELPA Administrator.

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

**SELPA Governance Board Policy 17:
Tehama County Special Education Local Plan Allocation Plan and Budget Categories** 

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The local education agencies (LEAs) within Tehama County and the Tehama County Department of Education join together pursuant to Education Code Section 56195.1 (c) to adopt a plan in accordance with Education Code Section 56205 to assure equal access to special education and services for all eligible persons with disabilities residing in the geographic area served by these agencies, Tehama County Special Education Local Plan Area (Tehama County SELPA). The SELPA Governance Council adopts an annual budget and service plan at a public hearing, yearly. The SELPA Administrator manages the budget adopted by the Governance Council. Budget reports are provided to the Governance council, quarterly.

SELPA Funding Allocation Plan

Revisions to the Allocation Plan - In May 2015 the SELPA Governing Board agreed to revise the SELPA AB 602 Funding Allocation Plan. The new plan was partially phased in during the 2015-16 school year and was fully operational by the 2017-18 school year. Major components of the new plan include the following:

Revenue and expenses will be separated into three major categories, namely TCDE Programs and Services, SELPA Services and SELPA Priorities.

- A. SELPA Services and SELPA Priorities will be funded for 100% of their approved expenses.
- B. TCDE program services will be funded for 86% of its approved expenditures.
- C. State entitlement funds will be allocated to program operators using a two-step calculation as follows:
 1. Allocate 80% of the designated revenue using a single rate per ADA based on prior year P-2 data (for initial budget use P1 until P2 is available)
 2. Allocate 20% of the designated revenue using a single rate per prior year CALPADS Census Date pupil count.
 3. Federal local assistance grant funds will be allocated to District Program Operators using prior year per prior year CALPADS Census Date pupil count rather than a constant percentage

Tehama County SELPA Program Operator Definition:

Local School Districts - Local school districts that can demonstrate financial capability may become program operators pursuant to the Local Plan.

Program Operator Districts are allocated special education funds according to the SELPA special education allocation formula. Program Operators, *at a minimum*, are responsible for providing the following services to all identified students within its attendance area:

- Psychological services
- Speech and language therapy
- Specialized academic instruction for up to and including the full school day for students with mild-moderate disabilities

The following school districts are **currently** designated as program operators

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- Antelope Elementary School District
- Corning Union Elementary School District
- Corning Union High School District
- Evergreen Union School District
- Los Molinos Unified School District
- Red Bluff Joint Union High School District
- Red Bluff Union Elementary School District

Direct Service Districts/LEAs: Direct service districts/LEAs are provided special education services primarily by the TCDE. Direct service districts that are assigned less than 1.0 FTE mild-moderate teacher from the TCDE are entitled to place students in programs operated by any other district within the SELPA.

The following districts are currently considered direct service LEAs

- Flourney Elementary School District
- Gerber Elementary School District
- Kirkwood Elementary School District
- Lassen View Elementary School District
- Reeds Creek Elementary School District
- Richfield Elementary School District

Note: Gerber Elementary School District is the only direct service district that is allocated more than 1.0 FTE mild-moderate teacher by the TCDE and therefore is not entitled to place students with other program operators per this policy.
(If any direct service providers could meet the requirements of this agreement and obtain approval from the Tehama County SELPA Governance Council they would be taken off this list and moved to program operator)

Revenue Allocation

State Entitlement - This is the primary state funding source for special education. PS/RS funds are used for the operation of the SELPA. Low Incidence funds and Out of Home Care funds are allocated to the SELPA. State entitlement is allocated to the TCDE and district program operators. The method for distributing these funds is described below in the Allocation Plan.

Educationally Related Mental Health Funds - This grant is managed by the SELPA Administrator and used solely for providing educationally related mental health services.

Project Workability Funds - These funds are allocated directly to Corning Union High School District and Red Bluff Joint Union High School District.

Federal Local Assistance Grant - The federal local assistance grant is used to fund TCDE.

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programs and district program operators. The method for distributing these funds is included in the Allocation Plan.

Preschool Grants - The federal pre-school grants are managed by the SELPA Administrator and used solely for supporting the TCDE operated preschool programs.

Preschool Staff Development - This grant is managed by the SELPA Administrator to provide staff development for preschool staff.

Mental Health Grant - The federal mental health grant is managed by the SELPA Administrator and is used solely for the purpose of providing mental health services for the SELPA.

Infant - The federal grant for infant programs is managed by the SELPA and is used solely to provide services for infants. Currently these services are provided through a contract with the Shasta County Office of Education Infant program and Far Northern Regional Center.

Local Property Taxes - Local property taxes are allocated to the SELPA, SELPA Priorities and TCDE based on the Funding Allocation Plan.

Permanent State Entitlement Funding Calculation: The calculation is as follows:

- First priority - The SELPA, will be funded for 100% of its expenses. PS/RS funds will be allocated to the SELPA first and the difference will come from local property taxes.
- Second priority - SELPA priorities, will be replenished annually to a maximum of \$250,000. Funding will come entirely from property taxes.
- Third priority - The Tehama County Department of Education will be reimbursed for 86% of its total expenses. Total expenses can be found on the Billback Calculation Summary worksheet provided to the Governance Council quarterly. The TCDE will be funded with a combination of property tax revenue, federal local assistance grant funds and a portion of total state entitlement. Funds will be allocated in the following manner:
 - Any property tax revenue left after funding the first and second priorities, will be allocated to TCDE.
 - \$721,016 from the federal local assistance grant will be allocated to the TCDE.

***Note:** Because the federal local assistance grant has not increased substantially for a number of years, this amount has been automatically allocated to the TCDE each year. This allocation translates to about 41.5% of the total grant amount. If at any time in the future the grant increases substantially (amount to be determined by the SELPA Governing Board) the allocation to TCDE will be recalculated using the 41.5% percent figure.*
 - The balance of any remaining unfunded expenses will be allocated from 'total state entitlement'
- Fourth priority- the remaining state entitlement funds and local assistance grant funds will be allocated to program operators according to the following formulas:
 - 80% of remaining state entitlement will be allocated by prior year P2 ADA. The other 20% will be allocated by prior year CALPADS Census Dates pupil count.
 - 100% of local assistance grant funds will be allocated by prior year CALPADS Census Dates pupil count.

SELPA Priorities Fund

In addition to the SELPA AU and LEAs that operate programs, the SELPA allocates a portion

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of the State Entitlement income for SELPA Priorities - a SELPA savings account. This money is allocated by the SELPA Governance Council. The SELPA Priority funds will be used in the following manner:

- Maintain a \$250,000 reserve to be used as outlined by SELPA Agreement 6
- Property tax funds will be transferred to replenish the fund to \$250,000 at the beginning of each school year.

Management Fee

Rather than being assessed an indirect fee for county office services, the SELPA pays a management fee to the county office. The management fee is \$300,000.

District to District Excess Cost Determinations

School districts that provide special education services to students from outside their attendance boundaries at the request of the DOR may charge the DOR the excess cost associated with providing services for individual students. A district that arranges for services from another district is responsible for its pro-rata share of the excess costs associated with that service. School districts that receive special education funding from the SELPA, over and above their normal State Entitlement allocation, in order to provide regional services, may not charge another district for excess costs unless so stipulated in the agreement to provide such regional services. The Excess Cost amount is determined by the Fiscal Oversight Committee on a yearly basis. *Excess costs do not apply to students who enroll in school districts other than their District of Special Education Accountability through the inter-district transfer process.*

Districts that receive services from the TCDE are responsible for the excess costs associated with those services. The formula for determining these costs is determined by the SELPA Governing body and contained in the SELPA Billback Calculation formula.

Federal Revenue Sources

In addition to State Entitlement revenues, the SELPA budget also receives the following other income sources:

- **Federal Local Assistance Grant** - *The federal local assistance grant is allocated to the SELPA to provide FAPE to identified public school students ages 3 to 22 and other services to identified students attending private schools.*
- **Federal Pre-school Grants**- The SELPA receives two federal grants for pre-school.
 - Federal Preschool Grant
 - Preschool Local Entitlement Grant
- **Federal Pre-school Staff Development**
- **Federal Part C Grant** - The SELPA receives a grant for infant services, which is transferred to the Shasta County Office of Education for providing infant services to children in Tehama County.

Note: Shasta County Office of Education also receives state funding based on their infant pupil count, including Tehama County infants, which directly flows to the Shasta County Office of Education.

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- **Federal Mental Health Grant** - This funding is allocated using prior school year ADA and can be used for the same purposes as the state entitlement mental health funding.
Note: Notifications regarding all federal grants are in the form of grant award letters.

Local Property Tax Revenue

In addition to State Entitlement and Federal grant funding, The SELPA is allocated revenue from local property taxes for the purpose of providing special education programs and services. An estimate regarding property tax revenues is included in the Special Education Funding Exhibit. A more accurate figure is available from the TCDE business department.

General Fund Contribution

It is important to remember that special education is severely underfunded and even with local, state and federal funding, this never covers the expenditures of special education services. Expenditures above and beyond the funds described above are provided by district general funds, which is currently over 60% of the expenditures.

Budget Development, Approval and Review

Budget Categories

The SELPA Administrator manages 17 separate budgets, including:

Memorandums of Understanding and Fee for Service

- Memorandums of Understanding and Fee for Service
 - MOU's - the SELPA provides services , e.g. nurse, psychologist, etc. to local school districts, TCDE special education programs and other County Office programs based on a Memorandum of Understanding.
 - For LEA's that neither employ nor contract with the county for their own psychological service, the SELPA provides psychological services to local school districts on an as needed basis via a Fee for Service model.
 - Details regarding costs, usage and billing are included in the *MOU/FFS budget document*.

- Lottery Funds
- Federal Local Assistance grant (TCDE programs and services)
- Allocation from to provide services to identified school age students enrolled in private schools
- Preschool Services
- Mental Health Services
- Preschool staff development
- Infant Services
- Medi-Cal

The SELPA generates Medi-Cal income for a variety of services. Medi-Cal monies are restricted and can only be used to enhance or increase health related services to students. A collaborative of the providers must be used to determine Medi-Cal spending. Other expenses include a percentage of secretarial services and processing fees for the Medi-Cal vendor.

- MAA
- TCDE Programs and Services

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- SELPA Office
- Low Incidence materials and equipment
- *SELPA Priorities*: The SELPA Priorities Fund was created prior to AB602 through the Goldfinger maximization process. The SELPA hired a financial consultant each year who revised each district's J-50 report to maximize the amount of funding. The SELPA used the resulting increase in funding to create a reserve called the SELPA Priorities Fund. It was agreed in the allocation plan to continue the maximization fund (now referred to as "Priorities") as an ongoing separate allocation.
- *Out of Home Care Funding - Approved Non-public school Procedures governing the use of these funds can be found in SELPA Agreement SA 7 LCI Funding*) Prior to 2004-05 the CDE reimbursed LEAs for 100% of the cost of placing student's living in Licensed Children's Institutions (LCI) in non-public schools or agencies. In 2004-05 the CDE eliminated that practice and instead, began allocating additional funds to SELPAs. The amount of funding is determined annually based on a count of LCIs "beds" from a held/harmless proxy date of 12/1/17. The money is allocated to the SELPA AU in the state distribution formula. SELPA Agreement 7, LCI Funds, delineates the process the SELPA prioritizes of the use of these funds.
- Educationally Related Mental Health Services (ERMHS)

Approval

In the spring of each year, a fiscal report for the upcoming school year is presented to the governing board for its approval. This report includes the following:

- Billback Calculation - a summary of income and expenses for each major program category
- Billback Summary - The projected billback by program category for each school district
- Income Distribution - Allocation of State Entitlement, Federal Local Assistance Grant and Local Property tax revenues
- Non-public School Expenses - Billback by district
- Individual Behavior Interventionists - Billback by district
- Memorandums of Understanding and Fee for Services - Billback by district

Prior to presenting budgets to the governing board they are reviewed by the county office CBO. The SELPA Administrator and Budget Analyst also present information to LEA CBOs throughout the year and prior to bringing to SELPA Governance.

Based on the information contained in these documents the governing board takes action to approve/deny the SELPA budget.

Transportation

1. Revenue Determination

The TCDE receives a static amount of funding from the CDE for the provision of special education transportation services.

2. Revenue Distribution

100% of the state apportionment to the County Office for transportation is allocated.

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3. Expenses

a. Maintenance

The cost of parts and a pro-rata share of the mechanic's salary and benefits is shared between the two budgets. Parts are charged to the budget throughout the year. The mechanic's salary is charged at the close of the budget.

b. Indirect

The transportation department pays the county an indirect charge

c. Billback

The billback to districts is shared between the two budgets

The SELPA Administrator assists the executive committee to develop plans for the allocation of state and federal funds for special education and ensures appropriate use of federal, state, and local funds allocated for special education. The TCDE shall serve as the AU for the SELPA receives and distributes special education funds for the operation of special education programs and services, according to the locally approved Special Education Funding Allocation Plan.



c. The operation of special education programs: education programs:

The Tehama SELPA and each member LEA shall ensure that a pupil is referred for special educational instruction and services only after the resources of the general education program have been considered and, where appropriate, utilized. Such resources may include, but not be limited to, response to intervention models/multi tiered systems of support, student success teams, early literacy programs, and remedial programs, and access to Core Curriculum. The Tehama SELPA and each member LEA

- All required core curriculum including state adopted core curriculum and supplementary materials.
- Instructional materials and support.

In adopting the Local Plan, each participating agency agrees to carry out the duties and responsibilities assigned to it within the plan. Participating agencies may enter into additional contractual arrangements to meet the requirements of applicable federal and state laws.

Each district governing board and the Tehama County Department of Education shall have authority over the programs it directly maintains consistent with the local plan. Regional programs operated on behalf of the SELPA are subject to oversight by the SELPA Governing Board according to SELPA policies and procedures. Each agency shall provide special

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education and services to all eligible students within its boundaries, including students attending charter schools where a LEA of the SELPA has granted that charter. Charter schools with LEA status in the SELPA are responsible for special education services according to the provisions of the SELPA's Charter School policy. 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 LEA of residence program. Such cooperation ensures that a range of program options is available throughout Tehama County. The county office or district governing boards may enter into agreements to provide service to pupils in special education programs maintained by other districts or counties and may include within their special education programs pupils residing in other districts or counties.

The SELPA Administrator assures equal access to all programs and services in the SELPA and provides advice to members of the public, including parents or guardians of individuals with exceptional needs who are receiving services under the local plan, on the availability of established due process and legal service options and procedures. In cooperation with the California Department of Education, the SELPA Administrator provides information to ensure that all special education pupils receive due process of law. Specific duties include, but are not limited to:

- Coordinating implementation of all components of the local plan.
- Preparing and submitting approved annual budget and service plans.
- Developing, implementing, supervising, and evaluating regionalized services.
- Supervising and evaluating SELPA staff.
- Developing and ensuring implementation of policies, procedures, and local agreements that will ensure that all students are provided with a free and appropriate public education.
- Developing and maintaining interagency agreements with appropriate public agencies to ensure a full range of special education programs and services.
- Assisting the executive committee to develop plans for the allocation of state and federal funds for special education
- Ensuring appropriate use of federal, state, and local funds allocated for special education.
- Preparing program and fiscal reports required by the LEAs, SELPA, and California Department of Education.
- Developing and implementing a plan for personnel development, including training of staff and parents.
- Providing technical assistance and consultation to LEAs in all areas of special education, including complaint and due process procedures.
- Adopting and implementing a management information system.
- Establishing and maintaining a positive relationship with all members of the SELPA.
- Informing the superintendents of the status of the special education programs.
- Providing programs and services approved by the Governance Council
- Assisting LEA's to access services not available within the district
- Monitoring non-public school and agency contracts and placements
- Serving as an ex-officio member of the Governance Council and the Executive Committee and staff to both groups.

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As program administrator for the Tehama County Department of Education, the SELPA Administrator is responsible for the operation of special education programs and services provided by the Tehama County Department of Education. Specific duties include but are not limited to the following:

- Assists in the recruitment and selection of personnel.
- Develops and maintains budgets to support special education programs and services
- Develops and monitors staff assignments and schedules
- Coordinates the supervision and evaluation of certificated and classified staff
- Attends IEP meetings as necessary
- Coordinates, schedules, and oversees periodic meetings with staff for the purpose of program improvement, communication, and staff development.
- Completes staff evaluations, as necessary, and makes recommendations to the director of personnel regarding probationary employees.
- Supervises the operation of the special education office
- Develops and maintains the budget for the transportation department
- Coordinates the provision of transportation services and the supervision and evaluation of transportation staff

Regionalized Services and Program Specialists

Assurances

As a condition of receiving funds for regionalized services and the direct instructional support of program specialists, the SELPA assures that all regionalized operations and services listed below are provided in accordance with the local plan:

- A coordinated system of identification and assessment.
- A coordinated system of procedural safeguards.
- A coordinated system of staff development and parent education.
- A coordinated system of curriculum development and alignment with the core curriculum.
- A coordinated system of internal program review, evaluation of the effectiveness of the local plan, and implementation of a local plan accountability mechanism.
- A coordinated system of data collection and management.
- Coordination of interagency agreements.
- Coordination of services to medical facilities.
- Coordination of services to licensed children's institutions and foster homes.
- Preparation and transmission of required SELPA reports.
- Fiscal and logistical support of the CAC
- Coordination of career, vocational and transition services.
- Coordination of transportation services for individuals with exception needs.
- Means by which full educational opportunity is ensured.
- Fiscal administration and the allocation of state and federal funds.

Program specialists are employed through the AU and serve the SELPA under the direction of the SELPA Administrator. The SELPA Administrator evaluates program specialists. Program specialists shall be appropriately credentialed, have advanced training and related experiences in the education of individuals with disabilities and have specialized in-depth knowledge in one or

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more areas of disabling condition. The role of the program specialist includes but is not limited to the following:

- Conduct observations, consult with, and assist special and general education staff, administrators, and parents regarding appropriate placement and services for students.
- Participate in program development, primarily in the area of his or her expertise.
- Coordinate curricular resources and take leadership in ensuring the use of appropriate instructional methods, strategies, interventions, and resources.
- Facilitate the development and implementation of staff development and parent education activities.
- Assist LEAs in completing program reviews, monitoring compliance, and resolving disputes regarding special education programs and services.
- Assist in assuring that students have full educational opportunities.
- Provide other services as needed.

Administrative Unit

The Tehama County Department of Education (AU) provides certain special education programs and services as approved by the SELPA Governance Council. The AU is reimbursed by the participating districts for the excess costs related to the provision of services by the TCDE and SELPA Office according to the SELPA approved billback formula. The TCDE collaborates with the Executive Committee regarding the recruitment and employment of staff hired in support of SELPA operations.

Local Educational Agency (LEA)

LEA's are responsible for ensuring that children with disabilities are educated in the least restrictive environment. Placement in special education programs or services occurs only when the nature or severity of the disability is such that the child's education, even with the use of modifications of the general education program or use of supplementary aids or programs, cannot be achieved satisfactorily. Children with disabilities are served in their home districts whenever the needs identified on the individualized education program can be met within the home district.

LEAs are allocated special education funds based on their ability to meet all of the following requirements:

- demonstrate fiscal capability,
 - demonstrate the ability to comply with student IEPs,
 - to provide adequate support of special education staff,
- and are subject to local plan policies and agreements. LEA's, authorized by the Governance Council, are allocated funds based on the SELPA funding allocation plan and operate their own special education programs/services. LEA's that do not receive special education funding are provided services through the TCDE or by arrangement with another LEA or authorized non-public school.

LEA responsibilities include, but are not limited to:

- Coordinating and conducting child find activities.

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- Operating special education programs and services according to SELPA guidelines
- Complying with state and federal laws and regulations regarding special education.
- Cooperation with other LEAs to ensure the provision of services to all identified students in the SELPA

LEA Special Education Administrators

LEA special education administrators are responsible for the coordination of special education services and programs within their agencies and for the implementation of policies and procedures set forth in the local plan.

Participating LEAs in the SELPA also agree to adhere to SELPA Agreement 1 (Intent), SELPA Agreement 2 (Service Delivery within Tehama County SELPA), SELPA Agreement 9 (Preschool Continuum of Service), SELPA Administrative Regulation 34 (NonPublic Schools), further defining the continuum of services for special education in Tehama County SELPA. These Agreement can be found within the SELPA Office.

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

The Tehama SELPA Administrator is responsible for ensuring appropriate use of federal, state, and local funds allocated for special education. It shall be the policy of Tehama County SELPA to provide assurances that funds received from Part B of the IDEA will be expended in accordance with the applicable provisions of the IDEA; will be used to supplement and not to supplant state, local and other Federal funds those funds. It shall be the policy of Tehama County SELPA 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 law and regulations.

The TCDE shall serve as the AU for the SELPA receives and distributes special education funds for the operation of special education programs and services, according to the locally approved Special Education Funding Allocation Plan.

LEAs are responsible monitoring the appropriate use of federal, state and local funds and complying with state and federal requirements regarding maintenance of effort.

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:

Low Incidence Funds

Funds for low incidence equipment, materials, and supplies as well as for low incidence services

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are restricted to support students in the following disability categories: hard-of-hearing, deaf, visual impairment, severely orthopedically impaired, and deaf-blind. The funds are administered through the Tehama County SELPA and include receipt of funds, expenditure of funds, maintenance of an inventory, development of procedures for exchange of equipment, and reporting to the state.

Policies, Procedures, and Programs

Pursuant to *EC* sections 56122 and 56205(a), the SELPA ensures conformity with Title 20 *United States Code (USC)* and in accordance with Title 34 *Code of Federal Regulations (CFR)* Section 300.201 and has in effect policies, procedures, and programs. For each of the following 23 areas, identify whether, or not each of the following provisions of law are adopted as stated. If the policy is not adopted as stated, briefly describe the SELPA's policy for the given area. In all cases, provide the SELPA policy and procedure numbers; 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:

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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:

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 a of an IEP will be conducted on at least an annual basis to review a

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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:

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)

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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:

Yes No

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

Policy/Procedure Number:

Document Title:

Document Location:

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"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, 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:

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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

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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:

Document Title:

Document Location:

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

Yes No

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

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)

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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:

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:

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"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:

Document Location:

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

Yes No

Administration of Regionalized Operations and Services

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Pursuant to *EC* sections 56195.7(c), 56205(a)(12)(B), 56368, and 56836.23, describe the regionalized operation and service functions. Descriptions must include an explanation of the 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:	GBP 1; GBP 2; GBP 3; SP 13: Governance; SAR 1; SAR 2; GBP 16
Document Title:	Governance Board Policy 1 Governance and Administrative Structure; Governance Board Policy 2: Regionalized Services and Specialists; Governance Board Policy 3: Roles and Responsibilities of Participating Entities; SELPA Policy 13: Governance; SELPA Agreement 1: Intent; SAR 2: SELPA Service Delivery; Governance Board Policy 16 SELPA Dispute Resolution Policy and Procedure
Document Location:	Tehama County SELPA Office, 900 Palm Street, Red Bluff, CA 96080 - Local Plan, Governance Board Policies, SELPA Administrative Regulations and Agreements, and Policy and Procedures File.
	<p>Governance Board Policies 1-3: The local education agencies (LEAs) within Tehama County and the Tehama County Department of Education join together pursuant to Education Code Section 56195.1 (c) to adopt a plan in accordance with Education Code Section 56205 to assure equal access to special education and services for all eligible persons with disabilities residing in the geographic area served by these agencies, hereafter known as the Tehama County Special Education Local Plan Area (Tehama County SELPA). The Tehama County Department of Education is designated as the Administrative Unit (AU) for the SELPA. In adopting the Local Plan, each participating agency agrees to carry out the duties and responsibilities assigned to it within the plan.</p> <p>The SELPA Governance Council, is made up of Superintendents of each LEA and the AU, is charged with the responsibility of adopting appropriate policies regarding the implementation of the Local Plan for Special Education. Each LEA superintendent by participation in the Governance Council is charged with overseeing the operations of the Local Plan and implementing the policies adopted. Information is transmitted to the SELPA Executive Council for implementation of the directives and policies and for the development of procedures. The SELPA Administrator provides a coordinating function and serves as</p>

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Description:

staff to each of the groups. Thus, a smooth and efficient operation of the administrative structure is achieved to assure a successful implementation of the Local Plan for Special Education in accordance with the policies adopted by the SELPA Governance Council.

The SELPA Administrator assures equal access to all programs and services in the SELPA and provides advice to members of the public, including parents or guardians of individuals with exceptional needs who are receiving services under the local plan, on the availability of established due process and legal service options and procedures. In cooperation with the California Department of Education, the SELPA Administrator provides information to ensure that all special education pupils receive due process of law. Specific duties include, coordinating implementation of all components of the local plan.

SELPA Policy 13 indicates each LEA in the SELPA is responsible for implementation of the local plan.

The intent of SAR 1 is to provide an integrated system of comprehensive special education services designed to meet the educational needs of children with disabilities who reside within the local plan area. It indicates all LEAs are responsible for serving all students in the Local Plan Area and implementing the adopted SELPA local plan.

SAR 2 is an agreement amongst the LEAs in the SELPA that all LEAs ensure that the local plan is implemented and to ensure that all students with disabilities are offered a full continuum of services. The Agreement also clarifies roles and responsibilities regarding the provision of services, procedures, policies, and implementation of the local plan.

GBP 16 SELPA Dispute Resolution Policy and Procedure outlines the responsibilities the adoption, implementation, interpretation, modification and revision of the local plan by LEAs in the local plan area. It also outlines the process when a dispute among LEA Members occurs related to the implementation or revision of the Local Plan.

2. Coordinated system of identification and assessment:

Reference Number:

Document Title:

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Document Location:

Tehama County SELPA Office, 900 Palm Street, Red Bluff, CA 96080 - Local Plan, SELPA Administrative Regulations and Agreements, and Policy and Procedures File.

Description:

SA 1: Intent is a SELPA Agreement outlining each LEA's responsibilities outlined by the local plan and federal and state law as it relates to special education referrals, assessments, and developing Individualized Educational Programs. The Agreement further refers to the SELPA Procedure Manual for more detailed local procedures for identification and assessment for special education.

SA 9: Preschool Continuum of Services: This agreement outlines the responsibilities of the SELPA and County Office in relation to assessing preschool aged students. The agreement further outlines best practices for preschool assessments.

The Procedure Manual Section 1 has local procedures in the following areas:

- Referral for Special Education Evaluation
- Request for Regional Services and Placement -- Flowcharts, Checklist, Request Letter, Documentation of Interventions Attempted, Least Restrictive Placement (LRE) Planning Matrix, Program Specialist Collaboration Log
- Preschool Assessment Procedures
- Educationally Related Mental Health Services Referral Procedures
- Referral to State Special Schools
- Nonpublic School Placements
- Screening
- Assessment Plans
- Informed Consent: Evaluation
- Assessment Procedures
- Assessment Standards
- Preschool Transition Evaluations
- Exit and Graduation Evaluations
- Assessment Reports
- Independent Education Evaluations

All of these policies outline the specific roles of the SELPA Administrator, Program Specialists, Directors, LEAs, and County Office of Education/Administrative Unit during the assessment and evaluation process as it relates to implementing the SELPA Local Plan and

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3. Coordinated system of procedural safeguards:

Reference Number:

Document Title:

Document Location:

Description:

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

Reference Number:

Document Title:

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Document Location:

Description:

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

Reference Number:

Document Title:

Document Location:

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Description:

GBP 2 describes a coordinated system of curriculum development and alignment with the core curriculum as a regionalized service within the SELPA.

GBP 10 states each LEA in the SELPA will ensure students with disabilities have access to all required core curriculum, supplementary materials, and instructional materials and supports.

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:

Description:

Program evaluation is the joint responsibility of the SELPA and the LEAs within the SELPA local plan area. Regional Program Operators are required to adhere to program operation standards agreed to in SELPA Agreements. The Executive Committee and Governance Council utilize yearly SELPA Goals to measure program effectiveness and local plan implementation. The Executive Committee works on policy and procedural development as it relates to implementation of the local plan. Furthermore, the Local Plan is updated periodically pursuant to the priorities of the Governance Council.

GBP 1 - Governance & Administrative Structure:
The SELPA Governance Council is charged with the responsibility of adopting appropriate policies regarding the implementation of the Local Plan for Special Education. Each LEA superintendent by participation in the Governance Council is charged with overseeing the operations of the Local Plan and implementing the policies adopted. Information is transmitted to the SELPA Executive Council for implementation of the directives and policies and for the development of procedures. The SELPA Administrator provides a coordinating function and serves as staff to each of the groups. Thus, a smooth and efficient operation of the administrative structure is achieved to assure a successful implementation of the Local Plan for Special Education in accordance with the policies adopted by the SELPA Governance Council.

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GBP 14 describes the process of analyzing the need to revise the local plan. The SELPA Administrator shall be responsible for the coordination of the development of any proposed amendments to the local plan.

7. Coordinated system of data collection and management:

Reference Number:

Document Title:

Document Location:

Description:

8. Coordination of interagency agreements:

Reference Number:

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Document Title:

Document Location:

Description:

9. Coordination of services to medical facilities:

Reference Number:

Document Title:

Document Location:

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Description:

development and provision of special education and related services to students with disabilities residing in hospitals and other residential medical facilities located within the geographical area of the LEA subject to provisions of the local plan. The LEA may either provide the required services directly, through agreement with another LEA within the SELPA, through another public agency, or through contract with an appropriate nonpublic school or agency.

GBP 2 indicates coordination of medical facilities as a SELPA regionalized service service.

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

Reference Number:

Document Title:

Document Location:

Description:

SA 1 details the responsibility for the identification, evaluation, IEP development and provision of special education and related services to students with disabilities residing in LCIs and Foster Family Homes within the geographical area of the LEA subject to provisions described in the local plan. The LEA may either provide the required services directly, through agreement with another LEA within the SELPA, through another public agency, or through contract with an appropriate nonpublic school or agency.

GBP 2 indicates coordination and services to LCI facilities and foster family homes as a regionalized service within the SELPA.

SA 7:LCI Funds details the prioritization of LCI funds and the process of requesting and accessing these funds.

Furthermore, when a LCI eligible student transfers out of the SELPA; it is the practice of Tehama County SELPA to notify the receiving SELPA, if the student transfers to a school within California.

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

Reference Number:

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Document Title:	Board Policy 1d: Governance and Administrative Structure: SELPA Administrator; Governance Board Policy 2: Regionalized Services; Governance Federal Assurance Statement 27;
Document Location:	Tehama County SELPA Office, 900 Palm Street, Red Bluff, CA 96080 - Local Plan, SELPA Administrative Regulations and Agreements, and Policy and Procedures File.
Description:	<p>GBP 1d outlines the SELPA Administrator role and responsibilities which includes preparing, transmitting, and submitting all program and fiscal reports to the CDE.</p> <p>GBP 2 indicates preparation and transmission of required special education local plan area reports as a regionalized service within the SELPA.</p> <p>Federal Assurance Statement 27 states that it is the policy of the SELPA to provide data or information to the CDE that may be required by regulations.</p> <p>Tehama County SELPA currently utilizes Special Education Information System (SEIS). Tehama County SELPA also provides extensive support to all member LEAs on CALPADs Special Education submissions and certification. The SELPA is the lead in the data management, processing, and submission of all reports required by the CDE, for member LEAs.</p>

12. Fiscal and logistical support of the CAC:

Reference Number:	GBP 2; GBP 3: GBP 17
Document Title:	Governance Board Policy 2: Regionalized Services; Governance Board Policy 3: Roles and Responsibilities of Participating Entities Governance Board Policy 17: Tehama County Special Education Local Plan Allocation Plan and Budget Categories
Document Location:	Tehama County SELPA Office, 900 Palm Street, Red Bluff, CA 96080 - Local Plan, SELPA Administrative Regulations and Agreements, and Policy and Procedures File.
	GBP 2 - Regionalized Services indicates fiscal and logistical support of the SELPA Community Advisory Council as a regionalized service within the SELPA.

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Description:

GBP 3 - Roles and Responsibilities outlines the roles of all the entities including the SELPA Administrator and CAC. Announcements of CAC meetings and activities will be distributed to parents of children with disabilities in the SELPA. In addition, information will be posted on the SELPA web page.

GBP 17 - SELPA Allocation Plan details the fiscal structure of the SELPA and how the SELPA office is funded, which includes fiscal and programmatic support to the CAC.

The SELPA office prepares all agendas, schedules the meetings, and provides training for the CAC. The CAC review the SELPA Governance Council annual goals and also construct their own annual goals. as a committee.

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

Reference Number:

Document Title:

Document Location:

Description:

SAR 41 summarizes specialized transportation for students with disabilities and the responsibility of LEAs and IEP teams to determine transportation services and criteria. The process in determining transportation services are determined by criteria and specific needs of each student. The SELPA will provide technical assistance to LEAs or parents as requested.

The SELPA Procedure 13, Section III manual outlines local procedures for specialized transportation and the responsibilities of each LEA, the County Office, and of the SELPA for students preschool to adult. Transportation guidelines are outlined, including length of ride, medication, health needs, behavioral interventions, discipline, in-lieu transportation, and recommendations for students who fall under the McKinney-Vento Act.

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

Reference Number:	GBP 2; GBP 17; SA 2
Document Title:	Governance Board Policy 2: Regionalized Services; Governance Board Policy 17: Tehama County Special Education Local Plan Allocation Plan and Budget Categories; SELPA Agreement 2: Service Delivery within Tehama County SELPA
Document Location:	Tehama County SELPA Office, 900 Palm Street, Red Bluff, CA 96080 - Local Plan, SELPA Administrative Regulations and Agreements, and Policy and Procedures File.
Description:	<p>GBP 2 - Regionalized Services indicates that coordination of career, vocational and transition services is a regionalized service within the SELPA.</p> <p>GBP 17 - SELPA Allocation Plan details the fiscal structure of the SELPA and how funds related to coordination of transition services are funded to our local high school member LEAs.</p> <p>SA 2: Service Delivery within Tehama County SELPA is a guidance document outlining the continuum of services within the SELPA, including transition services for students age 18-22 and how to access services through member LEAs of the county office of education special education programs.</p>

15. Assurance of full educational opportunity:

Reference Number:	SAR 2; SP 2; SA 2
Document Title:	SELPA Administrative Regulation 2: Full Educational Opportunity; SELPA Policy 2: Full Educational Opportunity; SELPA Agreement: Service Delivery within Tehama County SELPA
Document Location:	Tehama County SELPA Office, 900 Palm Street, Red Bluff, CA 96080 - Local Plan, SELPA Administrative Regulations and Agreements, and Policy and Procedures File.
	<p>SAR 2: Full Educational Opportunity is adopted by the SELPA to ensure that all students with disabilities have access to a continuum of services and educational programs that are available to non-disabled</p>

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peers.

SP 2 states it is the policy of the SELPA that all pupils with disabilities have access to the variety of educational programs, non-academic programs, and services available to non-disabled pupils including nonacademic and extra-curricular services and activities.

SA 2 is a guidance document outlining the access and continuum of services for all students with disabilities within the SELPA boundaries. Additionally, it outlines the responsibility of all LEAs within the SELPA to ensure access to the continuum of services.

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

Reference Number:

GBP 1d; GPB 17

Document Title:

Governance Board Policy 1d: Governance and Administrative Structure - SELPA Administrator; Governance Board Policy 17: Tehama County Special Education Local Plan Allocation Plan and Budget Categories

Document Location:

Tehama County SELPA Office, 900 Palm Street, Red Bluff, CA 96080 - Local Plan, SELPA Administrative Regulations and Agreements, and Policy and Procedures File.

Description:

GBP 1d: Governance and Administrative Structure - SELPA Administrator describes the responsibility and role of the SELPA Administrator in relation to fiscal oversight and management: Preparing and submitting approved annual budget and service plans, assisting the executive committee to develop plans for the allocation of state and federal funds for special education, ensuring appropriate use of federal, state, and local funds allocated for special education, preparing program and fiscal reports required by the LEAs, SELPA, and California Department of Education.

GBP 17 is the fiscal allocation and budget policy and guidance document for the SELPA. The SELPA Administrator assists the Executive Committee and Governance Council to develop plans for the allocation of state and federal funds for special education and ensures appropriate use of federal, state, and local funds allocated for special

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education. The TCDE shall serve as the AU for the SELPA and receives and distributes special education funds for the operation of special education programs and services, according to the locally approved Special Education Funding Allocation Plan.

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

Reference Number:

Document Title:

Document Location:

Description:

Special Education Local Plan Area Services

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

Reference Number:	SA 9; GBP:6; FNRC Inter-agency Agreement; SCOE MOU
Document Title:	SELPA Agreement 9 - Preschool Continuum of Services; Governance Board Policy 6 - Programs for Early Childhood Special Education Far Northern Regional Center Interagency Agreement; Shasta County Office of Education MOU
Document Location:	Tehama County SELPA Office, 900 Palm Street, Red Bluff, CA 96080 - Local Plan, SELPA Administrative Regulations and Agreements, and Policy and Procedures File.
Description:	<p>SA 9 describes the statutory responsibilities of the SELPA and LEAs within the SELPA to assure that preschool aged students with disabilities have access to special education services. It further describes the referral, screening, assessment and services model. The county office of education provides the vast majority of services, on behalf of the SELPA, for preschool aged students with disabilities from identification, to evaluation, to service delivery. Program Operator districts provide speech and language services to students attending preschools in their district attendance areas.</p> <p>GBP 6 - summarizes how the SELPA provides intensive special education services to infants with low incidence disabilities birth through age two. The SELPA provides intensive special education services to infants with low incidence disabilities birth through age two through the contracts with Far Northern Regional Center and Shasta County Office of Education. Through its agreement with the Far Northern Regional Center, and the Shasta County Office of Education, the Tehama County SELPA coordinates the smooth transition of services for infants who are eligible for services upon turning age three.</p> <p>An Interagency Agreement between Far Northern Regional Center and Tehama County SELPA is crafted and agreed upon yearly for infant services.</p> <p>A Memorandum of Understanding (MOU) between Shasta County Office of Education (SCOE) and Tehama County Office of Education has been longstanding, for infant services, as Shasta County continues to receive state funding on behalf of infants residing in Tehama County.</p>

2. A description of the method by which members of the public, including parents or guardians of

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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:	GBP 15; GBP 3f
Document Title:	Governance Board Policy 15: Public Addressing the Governing Body Input - Governance Board; Governance Board Policy 3f- CAC
Document Location:	Tehama County SELPA Office, 900 Palm Street, Red Bluff, CA 96080 - Local Plan, SELPA Administrative Regulations and Agreements, and Policy and Procedures File. Tehama County SELPA website: https://www.tehamaschools.org/Departments/Special-Education/SELPA/index.html
Description:	<p>GBP 15 describes how the method by which members of the public, including parents or guardians of students with disabilities, may address questions or concerns to the governing boards of each LEA , the SELPA Governance Council, the Executive Committee, and/or the CAC. Opportunities for public input will be included on all agendas of each committee, held to the Brown Act Standard. The Tehama County SELPA Administrator and District Special Education Administrators are also available to meet with parents or members of the public who may have questions or concerns. Meetings can be arranged by contacting the SELPA office. The SELPA office can also coordinate meetings between the LEA and parents or the public.</p> <p>GBP 3f describes the CAC roles and responsibilities and their participation. The SELPA Office provides the SELPA Governance board packets and agenda to the CAC president. The SELPA Office posts all agendas outside the SELPA Office, Tehama County Department of Education (AU). Any member of the public can request the agenda and documents be sent to them.</p>

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:	GBP 16
Document Title:	Governance Board Policy 16 - SELPA Dispute Resolution Procedure
Document Location:	Tehama County SELPA Office, 900 Palm Street, Red Bluff, CA 96080 - Local Plan, Governance Board Policies, SELPA Administrative Regulations and Agreements, and Policy and Procedures File.

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Description:

GBP 16 is the policy and procedure the SELPA follows in the event of a disagreement among LEAs, LEAs and the Responsible Local Agency (RLA), LEAs and/or the RLA and the SELPA regarding the distribution of funding, responsibility for service provision and any other governance activities specified in the Local Plan, it is the intent of the SELPA Governing Board that issues be resolved at the lowest level possible. The SELPA Governing Board is the board of last resort. This process is intended to resolve disagreements within a period of 45 days, but is not intended to undermine local authority.

If a local education agency disagrees with a decision or practice of another agency or the SELPA, that local education agency has a responsibility to discuss and attempt resolution of the disagreement with the party, or parties, directly involved. The parties involved will present the issues to their respective superintendents, or designees, who will attempt to resolve the matter. Either party may request the assistance of the SELPA Administrator, or his/her designee, or the Chair of the SELPA Governing Board. If this process fails, the parties may pursue a hearing on the issues and resolution with SELPA Governing Board.

If either party disagrees with the recommendation of the SELPA Governing Board, and the dispute relates to the distribution of funding, the responsibility for service provision or other governance activities specified within the Local Plan, the party may submit the dispute to mediation. The parties will make a good faith effort to mutually agree to a mediator with expertise related to the dispute. If the parties cannot agree on a mediator, the SELPA Administrator will secure the services of a recognized mediator or from a professional mediation agency.

Any dispute unresolved in mediation, arising from a dispute that relates to the distribution of funding, the responsibility for service provision or other governance activities specified within the Local Plan shall be settled by arbitration. The arbitration decision shall be made by a panel of three, including one person selected by each party and a neutral chair of the panel agreed upon by the other two panel members. The mediator involved in the parties' mediation may serve as the panel chair.

Each party shall bear its own costs and expenses and an equal share of the mediator's and/or arbitrator's and administrative fees of arbitration. The power and jurisdiction of an arbitrator shall be limited to adjudicating the rights and responsibilities of the parties. The arbitrator shall not have the power to determine constitutional issues or issues

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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:

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Policy and Procedures File.

Description:

SAR 35 Nonpublic School and Nonpublic Agency; Oversight of Nonpublic School Placements outlines and delineates the NPS oversight the SELPA provides on behalf of member LEAs. The SELPA tracks all attendance, billing, and oversight mechanisms for NPS placements. Additionally, the agreement describes and defines the roles of the LEA and SELPA during the initial placement of a student in a NPS. The SELPA Agreement describes the responsibility of the SELPA under AB 1172 for oversight and monitoring of non-public schools where students are placed. SAR 35 has been modified to incorporate specific requirements that include conducting on-site visits to the contracted non-public schools within the SELPA for the purpose of ensuring compliance and reporting findings, if necessary (according to criteria established by the California Department of Education); and ensuring that administrators of the non-public schools possess the required licenses or credentials to enable them to operate the facility.

SELPA Procedural Manual Section I: Special Education Referral, Evaluation and Program Continuum Options 6. Non Public School Placements outlines the process and procedure for LEAs in NPS placement and the roles of the SELPA and LEA in this process.

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:

SP 1 and SPM Sec. III-9

SELPA Policy 1: Free and Appropriate Public Education and SELPA Procedural Manual, Section III Other Legal Requirements and Special

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Document Title:

Document Location:

Description:

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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.

The SELPA Administrator provides resources and support to LEAs, students, and caregivers when a student with an IEP desires services while incarcerated.