

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



California Department of Education
Special Education Division
January 2020

SELPA

Fiscal Year

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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 Yuba County Special Education Local Plan Area (SELPA) described herein is a multi-district/district-county plan. The Local Education Agency (LEA) membership of the Yuba County SELPA includes both in-county and out-of-geographic member LEAs.

The six member LEAs located within the Yuba County region include five school districts and one county office of education. Each have one vote on the Superintendent's Governance Council. It is important to note that per local charter petition documents, four of the six member LEAs have authorized one or more charter schools that operate as a "school within the district" for special education purposes. The four charter schools within the Yuba County region are represented in the SELPA governance council by the superintendent of the authorizing member LEA.

The four member charter LEAs located outside of the Yuba County region (also known as "out-of-geographic" charter LEAs) operate as a consortium of charter LEAs. The superintendent of the consortium has one vote in the SELPA governance structure. Within the out-of-geographic consortium, one charter LEA is located within the El Dorado County region and the other three charter LEAs are located within the Sacramento County region.

In total, there ten member LEAs in the Yuba County SELPA who are represented by seven voting superintendents in the Superintendents' Governance Council.

The Yuba County SELPA LEA Membership includes:

- California Montessori Project - Capitol Campus (out-of-geographic area charter LEA)
- California Montessori Project - Elk Grove Campus (out-of-geographic area charter LEA)
- California Montessori Project - San Juan Campuses (out-of-geographic area charter LEA)
- California Montessori Project - Elk Grove Campuses (out-of-geographic area charter LEA)
- Camptonville Elementary School District (including one charter LEA)
- Marysville Joint Unified School District (including charter school operated as by an LEA)
- Plumas Lake Elementary School District
- Wheatland Elementary School District (including a charter school operated as by an LEA)
- Wheatland Union High School District
- Yuba County Office of Education (including one charter school operated as by an LEA and one charter LEA)

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The Yuba County Office of Education is designated as the Responsible Local Agency (RLA) as well as the Administrative Unit (AU). In adopting the completed Local Plan, each LEA agrees to carry out the duties and responsibilities assigned to each agency within the Local Plan, or which may be delegated at a later date through agreement of the participating agencies.

For the purpose of the local plan, the term LEA refers to member school districts, member charter school LEAs and the Yuba County Office of Education. The term superintendent refers to the superintendent or chief officer of each participating LEA. The term "local education agency" refers to school districts and charters that have been approved as LEAs for the purposes of providing special education.

The function of Yuba County Special Education Local Plan Area and participating agencies is to provide a quality educational programs and services appropriate to the needs of each eligible child with a disability, who reside within Yuba County, to those eligible individuals who are residents of other SELPAs who may be in need of services, and who in accordance with the provision of the annual budget plan and the cooperating Local Plan Area attend programs in this region, as well as to those students who attend out-of-geographic member charter LEAs. All such programs and services are to be operated in a cost-effective manner consistent with the funding provisions of Ed. Code 56700 et seq, IDEA, other applicable laws and the policies and procedures of the Yuba County Special Education Local Plan Area.

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:

Description of Governance

There are two governance levels and two advisory units in Yuba County SELPA. The governance levels include Superintendents' Governance Council and Operations Council. The governance councils operate under the requirements of the Brown Act, providing a method by which members of the public may address questions or concerns to the governing body. The advisory units include SELPA Finance Advisory Committee and Community Advisory Committee. Additional committees may be convened by the SELPA Director as needed.

Governance

Superintendents' Council

The Superintendents' Council shall consist of the superintendent of each of the participating LEA, each of whom shall provide a liaison function between the LEA governing board and the Council. LEA Superintendents exercise their authority and responsibilities in accordance with policies and procedures of their local governing boards and within the voting procedures of the Superintendents' Council.

The LEA governing boards agree that they shall participate in the operation of the SELPA for the purposes of ensuring provision of programs and services. The Superintendents' Council facilitates this responsibility. Each superintendent, or administrative designee, participates in the Council meetings as representatives of their district/LEA/Charter Consortium.

There are seven voting member LEA Superintendents that make up the Yuba County SELPA Superintendent's Governance Council. They include one from the county office of education, five from the school districts

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located within Yuba County and one from the consortium of four out-of-geographic area charter LEAs located in the El Dorado and Sacramento County regions.

Each voting member LEA Superintendent shall be appointed to represent their LEA (including the charter schools of whom they authorize) on the Superintendents' Governance Council. There must be four out of the seven LEAs present to make a quorum. To approve any new proposed business actions within the SELPA, a majority vote (four or more votes) is required of the LEA membership. There is only one incident wherein a unanimous vote is required of the Superintendents' Governance Council and that is with the approval of an accelerated program transfer as per California Ed Code 56207 (b).

The Superintendents' Council, with direction from the LEA governing boards, shall act to:

1. Approve policy for the SELPA regional services and program specialists.
2. Approve budget for the SELPA regional services and program specialist.
3. Review the annual budget and service delivery plans.
4. Approve regulations and procedures for the operation of the SELPA.
5. Review and make recommendations to resolve conflicts referred from Operations Council.
6. Approve all Memorandums of Understanding and agreements.
7. Determine and provide direction on matters pertaining to SELPA and/or regional program personnel, Local Plan, program and service requirements, and allocation of special education funds.
8. Provide direction, consultation and technical assistance to the Local Education Agencies and the Superintendent of the Responsible Local Agency.
9. Provide a consistent forum to develop, review and approve policy.
10. Recommend to the Superintendent of the Responsible Local Agency a qualified candidate or candidates to be employed as the SELPA Director.

Operations Council

Operations Council will consist of one representative appointed by each Local Education Agency. Operations Council shall be a governing body advising to the SELPA Director and the Superintendents' Council. Operations Council members are responsible as individuals for the operation of Local Education Agency programs to ensure that all eligible children with disabilities receive appropriate services.

Operations Council, with direction from the LEA governing boards, shall act to:

1. Establish operational procedures and make decisions on any matters regarding implementation, administration and operation of special education programs in accordance with the Local Plan.
2. Meet as often as necessary during the year to implement the business of the Special Education Local Plan Area and to provide the necessary direction and guidance to the SELPA Director.
3. Develop rules, regulations and procedures to ensure effective management and content of special education programs and services.
4. Advise the SELPA Director and the Superintendents' Governance Council regarding the status, accomplishments and needs of special education programs operated within the Local Education Agencies.
5. Provide technical advice and assistance to the Superintendents' Governance Council and the SELPA Director.
6. Provide leadership and support through inter-district relationships, to implement the Local Plan, including any regional services/programs.
7. Act as liaison with parents, community resources, other Local Education Agencies, the SELPA Director, and the Superintendents' Governance Council.

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8. Gather, interpret, and report data regarding the implementation, administration and operation of the Local Plan.
9. Coordinate and facilitate the day to day participation of Local Education Agency special education personnel and utilize other available LEA resources to improve special education services in accordance with the provision of the Local Plan and decisions made by the Superintendents' Governance Council.
10. Advise the SELPA Director of the annual program needs of the Local Plan Area to be considered in the development of the Annual Budget and Service Plans and recommend programs and supports to be considered for inclusion in the Regional Services Program budget.
11. Participate in the development of appropriate special education services which will ensure that when specified in the pupil's IEP, pupils with disabilities will have access to the same education programs as for non-disabled pupils at the various age/grade levels.
12. Functions in accordance with the Local Plan.

SELPA Finance Advisory Committee

The SELPA Finance Advisory Committee is a group that advises and provides formalized structure to develop and review regionalized special education programs and monitor federal, state, and local funds allocated for special education programs in addition to the associated costs across the SELPA in a strategic manner. The group is comprised of both business officials and program directors in order to provide a balanced perspective in making recommendations to the Superintendents' and Operations Councils. The SELPA Finance Advisory Committee will meet at least twice a year.

Responsibilities of the SELPA Finance Advisory Committee:

1. Generate program development recommendations for the following year.
2. Ensure standardization of between-district MOUs.
3. Achieve long range strategic planning.

In order to achieve these goals, the SELPA Finance Advisory Committee planning process will include:

1. Examining regional program budget information per the SELPA Allocation Plan, including all interim reports, special education staffing ratios, programs currently in place, growth patterns, cost-cutting strategies, bill-back calculation factors, current enrollment figures, etc.
2. Collecting data/information from all LEAs as appropriate.
3. Compiling data into a meaningful, standardized format.
4. Sharing information with decision-makers.

Community Advisory Committee

The Community Advisory Committee (CAC) serves the Special Education Local Plan Area and the Superintendent of the RLA in an advisory capacity, in accordance with Education Code 56190-56194, by-laws, and procedures specified in the Yuba County Special Education Local Plan Area Community Advisory Committee Handbook.

The CAC may be composed of parents of individuals with exceptional needs enrolled in public or private schools, other parents of pupils enrolled in school, individuals with exceptional needs enrolled in special education programs, general education teachers, special education teachers and other school personnel, representatives of other public and private agencies, and persons connected with the needs of individuals with

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exceptional needs. *California Ed Code 56192*

The majority of the CAC shall be composed of 51% parents of students enrolled in schools participating in the local plan, and at least 51% of such parents shall be parents of individuals with exceptional needs. *California Ed Code 56193*

The CAC shall:

1. Assist in parent education regarding special education laws and responsibilities.
2. Recruit parents and other volunteers who may contribute to the implementation of the Local Plan.
3. Encourage public involvement in the development and review of the local plan.
4. Act in support of individuals with exceptional needs.
5. Inform and advise Special Education Local Plan Area staff regarding community conditions, aspirations, and goals for children with disabilities.
6. Make recommendations for annual priorities to be addressed by the SELPA.
7. Assist in parent education and in recruiting parents/guardians, volunteers, and agencies who may contribute to the implementation of the Local Plan.
8. Encourage community awareness and involvement in the development and review of the Local Plan.
9. Support activities on behalf of children with disabilities.
10. Facilitate communication between schools, parents/guardians, and community.
11. Assist in parent awareness of the importance of regular school attendance.
12. Establish and review by-laws to govern committee operations, including a procedure designed to provide for a systematic rotation of the membership.
13. Communicate with the district Superintendents' Council/Operations Council representative about information to be shared with other parents/guardians.

No person may advocate for a child as a CAC representative or speak for the CAC without prior written approval of the membership.

Parents who are voting members will be nominated to the CAC through their LEA administration or through the CAC membership committee. Each applicant shall be approved by a LEA board of trustees. *California Ed. Code 56191*. Service terms will be for at least two years.

Governing Boards

Per Ed Code 56205, each Board of Education is responsible for approving the participation of their LEA in the local plan for special education. The Governing Board of each Local Education Agency will have the responsibility to operate those programs which have been assigned to the Local Agency through the Annual Budget Plan developed for the Local Plan Area, maintain an awareness of the special education activities of the Local Plan through the Local Education Agency Superintendent and participate in the development and implementation of policy decisions as provided for in the Local Plan.

Responsibility of Local Governing Boards

1. Carry out the duties and responsibilities assigned to each LEA.
2. Annually review and approve special education programs and services of the Local Education Agency.
3. Operate local programs consistent with state and federal law and regulations and policies and procedures approved for the Special Education Local Plan Area.

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4. Designate the Superintendent of the LEA to participate in the development and adoption of policies related to the governance and operation of the Special Education Local Plan Area.
5. Develop and adopt policies for the operation of the Local Education Agency, which are consistent with those of the Special Education Local Plan Area, and which promote the concept to ensure access to appropriate programs and services for all children with disabilities.
6. Participate in the nomination, selection, and appointment of Local Agency representatives to the Community Advisory Committee.
7. Provide suitable housing for special educational programs maintained by the Local Education Agency.
8. Cooperate with the Superintendent of the RLA and the governing boards of participating Local Agencies to assure the availability of appropriate services to eligible individuals regardless of District of Residence.
9. Approve the state-required policies of the Local Plan developed for the Yuba County Special Education Local Plan Area prior to review by the State Department of Education.
10. Ensure LEA compliance with all elements of the Local Plan.

Changes in the Governance Structure

Any changes in the governance structure of the Yuba County Special Education Local Plan Area, including dividing the SELPA into more than one operating entity, changing the designation of and/or responsibilities of the Responsible Local Agency are subject to specific provisions of Education Code Sections 56140, 56195, et seq., 56195.7 et seq., and 56205 et seq.

1. Any local agency which is currently designated as a Local Education Agency (LEA) participating in the Yuba County Special Education Local Plan Area may elect to pursue an alternative option from those specified in Education Code (E.C.) Section 56195.1 by notifying the Superintendents'/Operations Council by March 1 prior to the date the alternative plan would become effective (E.C. 56195.3(b)). By February 1 of the year prior to any requested change, any participating governing board may petition to reconsider its participation in the Local Plan area in accordance with Education Code 56171 (b). Superintendents'/Operations Council shall be notified in writing. If the change results in additional Local Plans within the Yuba County area, assurance must be made that the plan is compatible with other local plans in the county. In addition, the State Director of Special Education will be notified after the application or petition by a governing board is made. The change will become effective on July 1 of the year following the final approval by Superintendents'/Operations Council.
2. Any alternative plan of an LEA is subject to the approval of the Superintendents'/Operations Council that would have school districts as participating agencies in the alternative plan. (E.C. 56195.1)
3. Approval of a proposed alternative plan by the Superintendents'/Operations Council must be based on the capacity of the district(s) to ensure that special education programs and services are provided to all children with disabilities. (E.C. 56140 (b))
4. If an alternative plan is disapproved by the Superintendents'/Operations Council, the SELPA office shall return the plan with comments and recommendations to the district(s) within 45 days pursuant to Education Code 56140 (b). The district or districts participating in the alternative plan may appeal the decision to the Superintendent of Public Instruction. (E. C. 56140 (b) (2))
5. Any alternative plan to be submitted by a district or a group of districts currently participating in the Yuba County Local Plan must meet the standards established by the State Board of Education and not adversely affect the size and scope status of the current local plan.
6. Any changes in the designation of the Responsible Local Agency for the Yuba County Local Plan must conform to the above code provisions and the administrative provisions for approval as specified in the Local Plan.

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Dispute Resolution

In the event of a disagreement among local education agencies, local education agencies and the Responsible Local Agency (RLA), local education agencies 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 Superintendents' Governance Council that issues be resolved at the lowest level possible. The SELPA Superintendents' Governance Council is the approval board of last resort. This policy 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 Superintendents' Governance Council. If this process fails, the parties may pursue a hearing on the issues and resolution with SELPA Superintendents' Governance Council.

If either party disagrees with the recommendation of the SELPA Superintendents' Governance Council, 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 parties will submit the dispute to the RLA Superintendent for selection of a mediator and/or a decision regarding disputed matters.

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 appointed by each party and a neutral chair of the panel selected by the other two panel members. If the parties agree, the mediator involved in the parties' mediation may be asked to 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 outside the scope of Education Code section 56205(b)(5).

If resolution is not reached, then default for decision-making falls back to the SELPA Superintendents' Governance Council for a vote. If resolution is still not reached, then default for decision-making falls to the RLA superintendent for a final decision.

Changes in LEA Membership

Should a Local Education Agency consider terminating membership in the Yuba County SELPA, notification of such consideration must be submitted in writing to the SELPA by July 1st of the preceding year. When that Local Education Agency has decided to terminate membership in the SELPA, it shall submit a written notice to exit the SELPA by January 1st prior to the July 1st date of change.

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

Governing Board Responsibilities for Policy Making

Suggestions leading to the development of policy statements and/or changes in existing policy may originate at any level within the governance structure of the Yuba County Special Education Local Plan Area or from the Community Advisory Committee in its capacity. Policy considerations are to be dealt with in accordance with the following procedure:

1. All suggestions and/or requests for policy development or change are to be directed to the Superintendents'/Operations Council, passing through any intermediate review steps, as dictated by the governance structure.
2. The Superintendents'/Operations Council will consider all such requests.
3. If the Superintendents'/Operations Council determines such a policy is desirable or needed, the Council will have a draft of such a policy written.
4. The SELPA Director will draft recommended policies in consultation with LEA representatives.
5. The Superintendents'/Operations Council will take action to approve or reject the proposed policy. A policy will be considered adopted when a majority of the Superintendents'/Operations Council has approved.
6. Directly following the approval or revision of any policy within the Yuba County SELPA, Superintendents'/Operations Council representatives are tasked with the charge to work with their local school administrators and staff to implement all SELPA policies and procedures.

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:

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

- Receipt and distribution of special education funds (within 60 days) to district accounts for the operation of special education programs and services.
- Receipt and distribution of special education funds (within 60 days) to accounts exclusively designated for SELPA use.
- The employment of staff in accordance with direction from the Superintendents' Council for functions the SELPA is required to provide.

The Yuba County Office of Education is comprised of the Responsible Local Agency (RLA) Superintendent and Local Education Agency Superintendents (approved LEA members). Each superintendent has responsibilities.

The Yuba County Office of Education Superintendent shall be designated as the RLA Superintendent. The RLA Superintendent serves as chairperson of the Superintendents' Council and will have the responsibility for the coordination and implementation of the Local Plan in accordance with approved policies and procedures.

Responsibilities of the RLA Superintendent:

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1. Coordinate and schedule (with input from the Superintendents' Council and the Administrator of the Local Plan Area known as the "SELPA Director") the time, date and place for meetings of the Superintendents' Council and Operations Council.
2. Serve as the employer for personnel who have responsibilities throughout the Local Plan Area, such as the SELPA Director and classified employees of the SELPA. Employment of such personnel will be in accordance with personnel policies and practices of the Yuba County Office of Education and in coordination with any procedural employment policies approved by the Superintendents' Council.
3. Coordinate the job posting, interviews, hiring and compensation of the SELPA Director, together with the members of the Superintendents' Council. The SELPA Director serves at the pleasure of all district Superintendents and the Executive Director of the out-of-geographic area charter school.
4. Arrange for and coordinate the management evaluation of the SELPA Director with the members of the Superintendents' Council, including discipline and termination, if necessary, to insure that all district Superintendents and the Executive Director of the out-of-geographic area charter school have input into the evaluation process. The RLA Superintendent shall discuss employment issues regarding the SELPA Director with the Superintendents' Council.
5. Provide suitable office space for both certificated and classified employees of the SELPA.
6. Receive and maintain accountability for the use of Regionalized Service funds appropriated to the Special Education Local Plan Area.
7. Establish appropriate record keeping procedures to be followed by each Local Education Agency for purposes of maintaining accurate fiscal and accounting records in accordance with State and Federal requirements and submit required reports to the appropriate authorities.
8. Provide technical support of the statewide reporting system necessary to comply with the requirements of the California Department of Education.
9. Shall employ a sufficient number of Program Specialists to meet the needs of the Yuba County Special Education Local Plan Area as supported by the regionalized service budget. Such personnel will be employed in accordance with the personnel and employment practices of the RLA and for purposes of supervision and evaluation be assigned to the SELPA Director and/or designee. Specific assignments of Program Specialists are subject to review by the Superintendents'/Operations Council.
10. Within 45 days of submission, the Yuba County Office of Education Superintendent, who serves as the RLA Superintendent, shall approve or disapprove revisions to the SELPA Local Plan. If disapproved, the Yuba County Office of Education Superintendent shall return the plan with comments and recommendations to the Superintendent's council.
11. Upon approval, the Yuba County Office of Education Superintendent shall post on the Internet Web site of the COE: the SELPA Local Plan, Annual Budget, Annual Service Plan, Annual Assurances Support Plan and all approved updates or revisions to the plans.

Responsibilities of the Superintendent of the Local Education Agencies:

1. Provide leadership within the Local Education Agency in support of the special education programs.
2. Represent the Local Education Agency as a member of the Superintendents' Council.
3. Act as a liaison between the governing board of the Local Education Agency and the Superintendents' Council.
4. Advise the Local Education Agency governing board of policies adopted by the Superintendents' Council.
5. Recommend the adoption of Local Education Agency special education policies to the governing board.
6. Annually recommend to the governing board the modifications of Local Education Agency special education programs which are necessary to meet the changing needs of the students, to be included in

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the required Annual Service and Budget Plans submitted to the SELPA.

The SELPA Director will coordinate the operation of all special education services of the SELPA pursuant to law and will administer those functions delegated to the SELPA pursuant to the Local Plan adopted by the Superintendents' Council. The SELPA Director serves under the direction of the Superintendents' Council and assumes responsibility for duties delegated by the Superintendents' Council in coordination with the Superintendent of the RLA.

Responsibilities of the SELPA Director - E.C. 56205 (D) (ii)

Under the direction of the Superintendents' Council, the SELPA Director shall be responsible to:

1. Support the development of regionalized programs.
2. Meet with the Superintendents' Council to keep them informed of the status of the special education programs as needed.
3. Establish a procedure for the regular distribution of the agenda and minutes of meetings of the Superintendents'/Operations Council, Finance Advisory Committee, and the Community Advisory Committee.
4. Serve as the Chairperson of Operations Council and assist members to implement each LEA's responsibility under the Local Plan.
5. Function as secretary to the Community Advisory Committee (CAC) to assist in promoting community involvement and work closely with the Committee to develop recommendations to be presented to Superintendents'/Operations Council.
6. Coordinate with LEAs that run regionalized programs to prepare annual budget that is submitted to the Superintendents' Council, in the spring prior to the start of the school year.
7. Facilitate conversations regarding the status of special education programs and services within the SELPA for the Superintendents' Council and others, as appropriate.
8. Recommend employment of, assign, supervise, and evaluate SELPA staff employed by the RLA.
9. Provide assistance to SELPA staff to carry out their responsibility to ensure that all pupils have access to full educational opportunity.
10. Provide necessary procedures and data to the RLA to allocate federal and state funds to the LEAs within the SELPA.
11. Provide support to the LEAs of the SELPA in their operation of special education programs and services.
12. Monitor the appropriate use of federal, state and local funds allocated for special education programs.
13. Prepare program and fiscal reports required of the SELPA by the state and manage the data to comply with all state requirements that are submitted to the statewide reporting system.
14. Confer with the RLA Superintendent to schedule regular meetings of the Superintendents' Council. Schedule regular meetings for the Superintendents' Council, Finance Advisory, and Community Advisory Committee for policy and budget development, support, and information sharing.
15. Ensure the implementation of all federal, state and local responsibilities of the SELPA, including personnel development and procedural safeguards and other assurances.
16. Develop and recommend to Superintendents' Council, a plan for personnel development, including training for staff and parents.
17. Coordinate procedures to assist LEAs with NPS/NPA services, including responsibility for negotiating rates and executing Master Contracts on behalf of all LEAs in the SELPA.
18. Collaborate with the Operations Council and the Community Advisory Committee to coordinate professional development opportunities to support the overall continuous improvement of special education supports and services provided throughout the SELPA.

Regionalized Services to Local Programs

Regionalized services shall include:

Program Specialist Services - E.C. 56368 (a)-(b)(5)

A Program Specialist is a specialist who holds a valid special education credential, clinical services credential, health services credential, or a school psychologist authorization and has advanced training and related experience in the education of individuals with disabilities and a specialized in-depth knowledge in preschool disabilities, career vocational development, or one or more areas of major disabling conditions.

A Program Specialist may do all the following:

1. Observe, consult with, and assist resource specialists, designated instruction and services instructors, and special class teachers.
2. Plan programs, coordinate curricular resources, and evaluate effectiveness of programs for individuals with exceptional needs.
3. Participate in each school's staff development, program development, and innovation of special methods and approaches.
4. Provide coordination, consultation and program development primarily in one specialized area or areas of his or her expertise.
5. Be responsible for assuring that pupils have full educational opportunity regardless of the district of residence.
6. Provide services as directed by the Superintendents'/Operations Council.
7. Personnel development for staff, parents/guardians, members of CAC, volunteers, and governing boards as appropriate. Such staff development programs will be coordinated with other staff development programs in the SELPA.
8. Evaluation responsibilities for ongoing comprehensive evaluations of special education programs as per the evaluation plan and requirements of the California Department of Education-Special Education Division (E.C. 56600, et seq.).
9. Curriculum development and support for special education programs and services in the SELPA.
10. Ongoing review of special education programs and procedures in the SELPA, and mechanisms for correcting any identified problems. Such review and procedures will be in accordance with any state level procedures, but may include local interventions starting at the most direct level of intervention, e.g., district support to the classroom teacher who needs it, or training and instruction in the identified problem area.

The RLA Superintendent shall employ a sufficient number of Program Specialists to meet the needs of the Yuba County Special Education Local Plan Area as supported by the regionalized service budget. Such personnel will be employed in accordance with the personnel and employment practices of the RLA and for purposes of supervision and evaluation be assigned to the SELPA Director and/or designee. Specific assignments of Program Specialists are subject to review by the Superintendents'/Operations Council.

Whenever possible, Program Specialists employed should have expertise in the area of learning disabilities and one of the following: physical disabilities, communication disabilities, severe disabilities, behavior, infant/preschool, autism, or career vocational development.

The allocation of funding for Program Specialists is determined by Operations Council and approved by

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Superintendents' Council annually. The determination is made in the following manner:

1. Prior to February 1st of each year, the Operations Council reviews the projected funding allocation for the upcoming year.
2. The Operations Council reviews the present services being provided and discusses any recommendations for modification of the present allocation.
3. The Operations Council develops a plan for the allocation of the program specialist funds. The plan is presented at the Joint Meeting of the Superintendents' Council and Operations Council in February.

Yuba County Office of Education and particular LEAs offer regionalized services to SELPA LEA members. IEP teams may access these programs and services through the established, SELPA approved Level II referral procedures.

Regionalized services/programs may include those necessary for less frequently occurring needs, for example, more functional life-skills programs and programs for students with emotional-behavioral needs.

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

Provision of Special Education Services in Charter Schools Policy:

This policy applies to school districts, county offices of education, and charter schools applying for membership with the Yuba County Special Education Local Plan Area (SELPA).

The purpose of this policy is to clarify the relationship between local education agencies, charter schools, member school agencies and to describe the procedures for applying for LEA status within the SELPA. This policy has the further purpose of assisting applicable charter schools and chartering districts that are members of the Yuba County SELPA with their individual and mutual responsibilities under the law. In addition, this policy has the purpose of assisting applicable charter schools and chartering agencies to meet the special education needs of all eligible students enrolled in applicable charter schools.

Charter Schools

Consistent with their IEPs, students attending charter schools are to be considered for special education services in a similar manner to students enrolled in other public schools in accordance with EC §47646. Charter schools within the SELPA shall comply with all requirements of applicable state and federal law regarding the provision of special education services. However, the charter school shall not discriminate against any pupil in its admission criteria on the basis of disability.

Funding for special education services, participation in the governance structure and responsibility for provision of services shall be based on the categorization of the individual charter school. A member district reviewing the petition for the establishment or renewal of a charter school may not refuse to grant the petition solely because the charter school might enroll students with disabilities who reside in a SELPA other than the one in which the district is a member. EC §47647

Charter schools must delineate in writing the entity responsible for providing special education instruction and

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services. Based on the categorization of the individual charter school, the document must reference any anticipated transfer of special education funds between the granting entity and the charter school and any provisions for sharing deficits in funding. The document must affirm that the district where the student resides, if different than the chartering entity, is not responsible for providing special education services to the students that are enrolled in the charter school. The sponsoring district is strongly advised to specify in the Memorandum of Understanding that the district will be indemnified for costs resulting from the provision of any services to student enrolled in the charter school. Prior to approval of a new charter school, or renewal of an existing charter school, the charter school petitioner(s) are required to consult with both the superintendent or designee of the chartering entity and the SELPA Director to ensure awareness of district and SELPA guidelines and timelines as they relate to special education. This provision shall also apply whenever changes are made to a charter school.

Categories of Charter Schools

For the purposes of provision of special education services, a charter school shall be deemed either a public school within the chartering district or an LEA that receives funds and provides services independent of the chartering entity. In addition, a charter school that has been approved by the State Board of Education shall be deemed either a public school within the LEA to which the State Board of Education has delegated its supervisory and oversight responsibilities or a public school of the State Board of Education. All approved charter schools will be deemed public schools within a member district and will be treated in the same manner as any other public school of the member district until such time as the charter school obtains membership as an LEA of the SELPA.

A. Public School within a School District or County Office of Education

Charter schools that are deemed to be public schools within the chartering entity will participate in state and federal funding in the same manner as other schools or programs within the chartering entity. The chartering entity will be responsible for ensuring that all children with disabilities enrolled in the charter school receive special education and related instruction and services in a manner that is consistent with all applicable provisions of state and federal law. The chartering entity will determine the policies and procedures necessary to ensure that the protections of special education law extend to students in the charter school in the same manner as students in the regular program.

The chartering entity will:

- Receive all applicable special education funds as specified in the Yuba County SELPA Allocation Plan. A charter school will not be eligible for special education funds in excess of the amount of state and federal funds to which they would be entitled if they were operating as an independent school district.
- Represent the needs of the charter school in the SELPA's governance structure.
- Be responsible for ensuring that all eligible students enrolled in the charter school receive special education and related instructional services in a manner consistent with applicable state and federal law.
- Be responsible for procuring and funding appropriate special education services wherever the student may reside. The chartering entity may contract for these services with public or private educational entities. When a student lives outside the boundaries of the chartering district, the district in which the child lives will have no responsibility to provide services or pay excess costs.

The chartering entity and the charter school may enter into agreements whereby the charter school agrees to pay for the excess costs associated with providing special education services to identified students,

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including the administration of special education programs. Where the chartering entity is a district, the charter school should be held fiscally responsible for a fair share of any excess cost, not funded by state or federal resources, which would have an impact on district general funds and which are due to the requirement to provide special education services throughout the district.

B. Charter school as an LEA within the SELPA

A charter school may apply to become an LEA for the provision of special education services. The SELPA Superintendents'/Operations Council will determine whether the charter school has provided the requisite assurances and satisfied the criteria for LEA status established by the SELPA. The application for a charter school will be the same as for any other LEA wishing to be a member of the SELPA. EC §47645. Once granted LEA status, a charter school will participate in the same manner as other members in the governance of the SELPA.

Applying for LEA Status with the SELPA

A school district, county office of education, or a charter school may apply to become a member of the SELPA for the provision of special education services. An applicant must request an application from the SELPA on or before January 1 of the school year preceding the school year in which the charter school or LEA anticipates operating as an LEA within the SELPA. The applicant must submit a completed application to the SELPA on or before March 1 of the school year preceding the school year in which the charter school or LEA anticipates operating as an LEA within the SELPA.

The SELPA Superintendents'/Operations Council will determine whether the applicant has provided the requisite assurances and satisfied the criteria for LEA status established by the SELPA. An application for a charter school will be the same as for any other LEA wishing to be a member of the SELPA. EC §47645. Once granted LEA status, the applicant will participate in the same manner as other members in the governance of the SELPA.

The applicant may be included as a member LEA of the SELPA if it is determined that the applicant has met the SELPA criteria, as well as meeting the requirements set forth in this policy of the Local Plan. These requirements include:

- Provide assurances that all individuals with exceptional needs (ages birth to 22) shall have access to appropriate special education programs and services.
- Provide evidence to establish that the charter school/LEA receives adequate revenue to provide a full continuum of special education programs and related services including, but not limited to, instruction, services, transportation, non-public school/agency placements, inter/intra SELPA placements, due process proceedings, complaints, and attorney fees.
- Provide assurances that each certificated employee is appropriately credentialed to serve in his/her assignment.
- Provide necessary staff as required to meet state and federal mandates.
- Follow all SELPA agreements, policies, and procedures.
- Utilize SELPA approved forms.
- Provide transportation as indicated on the student's IEP.
- Indemnify and hold harmless each of the member entities.
- Provide assurances that students will be instructed in a safe environment.
- Provide a copy of the charter school's original petition, as approved by its chartering entity, and any

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subsequently approved amendments to the petition (charter schools only).

- Provide assurances that they will comply with Section 504 and the Americans with Disabilities Act (ADA) and that the facilities used by the charter school/LEA do not present physical barriers that would limit an eligible student's full participation in the educational and extracurricular program.
- Provide assurances that they will follow all federal and state laws regarding discipline and change of placement of special education students.

Once deemed an LEA, the charter school district, county office of education, or charter school, like all other members of the SELPA, shall:

- Participate in governance of the SELPA in the same manner as other districts within the SELPA as specified in the SELPA Local Plan.
- Participate in and receive regionalized and administrative services in the same manner as other districts within the SELPA.
- Receive state and federal funding for special education in the same manner as other districts within the SELPA and as specified in the SELPA allocation plan. Any available funds will be dispersed to a new charter school or LEA member as specified within the SELPA allocation plan.
- Be responsible for all costs incurred in the provision of special education services. These costs may include, but are not limited to, instruction services, transportation, non--public school/agency placements, inter/intra SELPA placements, due process proceedings, complaints, and attorney fees.
- Document that all state and federal special education funds apportioned to the charter school are used for the sole purpose of providing special education instruction and/or services to identified student with disabilities.
- Place special education students in programs administered by other SELPA members only with the expressed consent of the receiving entity.

Special education apportionment must be used solely for the purposes of providing special education instruction and/or services to identified students with disabilities. Such funds shall be used to supplement and not supplant other sources of federal, state, and local funds apportioned to school districts, county offices of education and/or charter schools for the provision of services.

Recommended Administrative Guidelines for Charter School Policy

1. The Governing Board of each Yuba County SELPA member LEA shall not approve a petition for creation of a charter school unless the petition contains adequate assurances that the proposed school will comply with all provisions of federal and state law related to the rights of students with disabilities and their parents. (Individuals with Disabilities Act).
2. The Governing Board shall require that a petition include the means by which the charter school intends to serve students with disabilities. This will include a statement regarding the intent of the charter school to be deemed an LEA or a public school within a school district for the purpose of providing special education services. It is strongly advised that the petition should indemnify the sponsoring district for the cost of services to be provided to any students enrolled in the charter school.
3. A charter school may purchase special education services from the SELPA, county, or any other appropriate source in order to provide the full continuum of placement options to students with disabilities. While the county office of education and school districts within the SELPA offer services to all eligible students whose parents reside within the geographic boundaries of the SELPA, services to students whose parent reside outside the SELPA's geographic area shall be individually negotiated. The county office of education, as well as districts within the SELPA, retain the right to bill for services provided to students

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attending charter schools whose parents reside outside the SELPA. Charter schools located outside of Yuba County serving students who reside within the SELPA may not access any programs or services without specific written agreement between the charter school and the entity providing the service. Such services are not limited to educational services but may include extra-curricular activities and programs.

4. The petition shall contain assurances that no student will be denied admission to the charter school based on a disability or lack of available services.
5. Prior to approving a charter school petition, the superintendent or designee of the chartering entity shall consult with the SELPA Director regarding the provision of special education services to students enrolled in the prospective charter school.
6. The charter petition, or accompanying Memorandum of Understanding, shall address the allocation of excess costs and/or the charter school's fair share of special education revenue or deficit on the district general fund.
7. The chartering entity (if the school is deemed a public school of the entity) or the charter school itself, if deemed an LEA, shall be responsible for ensuring that special education services are provided in accordance with the student's IEP.
8. Consistent with current practice within the SELPA, a charter school IEP team may place a student in a special education program provided by another educational entity (the COE or another district or SELPA) with the concurrence of the receiving entity. Upon such placement, the placing entity will be responsible for any supports and services needed by the student to benefit from the educational program, and such costs set forth in #3 above.
9. A district IEP team may place a student in a charter program only with the agreement between the educational entities (including chartering agency) and with parental consent.
10. Upon mutual agreement between a charter school and a school district within the SELPA, a district may elect to purchase services from a charter school in order to meet the needs as specified on the IEP of a student enrolled in a district program.
11. The chartering entity will be allocated special education funds that are generated by a charter school that is deemed a public school, in compliance with the Yuba County SELPA Allocation Plan and SELPA policies.
12. The chartering entity will represent the needs for charter schools that are deemed public schools in the SELPA governance structure as defined in the Local Plan. The charter school will receive SELPA and regionalized services in the same manner as other schools within the chartering entity.
13. Charter schools that are deemed an LEA will be allocated special education funds and services in accordance with the Yuba County SELPA Allocation Plan.

Procedures and Deadlines to Apply for LEA Member Status in the Yuba County SELPA

A school district, county office of education, or a charter school may submit a written request to become an LEA member in the Yuba County SELPA. The Yuba County SELPA will provide the applicant with the application, which the applicant will complete and return to the Yuba County SELPA. The Yuba County SELPA will review the application and decide to approve or disapprove the application. The Yuba County SELPA will not treat a request by a charter school to participate as an LEA in Yuba County differently from a similar request made by a school district or a county office of education. EC §47645 and 56203

The following deadlines apply for an applicant wishing to join the SELPA as an LEA the following school year. During the application process, an applicant charter school will continue to be deemed a public school of the chartering district.

Below are the actions to be taken by the applicant per the timeline listed below:

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- The applicant will submit a written request for the application to join Yuba County SELPA as an LEA member by January 1st.
- Yuba County SELPA will provide an application to the requesting applicant by February 1st.
- The applicant will submit its completed application to Yuba County SELPA by March 1st.
- The Yuba County SELPA administrator and/or staff will review the application and develop a written recommendation 30 days after receipt of application.
- The applicant and members of the Superintendents'/Operations Council will receive copies of the written recommendation 10 days prior to item appearing on agenda.
- The Superintendents'/Operations Council will take action to approve or disapprove the applicant charter school as an LEA member 60 days after receipt of application

If approved, the applicant becomes an LEA member of Yuba County SELPA effective July 1 of the school year in which final approval was granted. Any available federal funds will be dispersed to a new LEA member in the same manner as other members of the SELPA, one year in arrears and calculated based on applicable special education counts.

If disapproved, the Yuba County SELPA administrator will provide the applicant with a written finding that delineates the reason(s) for disapproval.

Provision of Special Education Services in Charter Schools Procedures

Provision of Special Education Services to Students Voluntarily Enrolled in Charter Schools

Introduction

This procedure applies to all charter schools that are authorized by a member LEA of Yuba County SELPA or granted LEA status in the Yuba County SELPA.

Students enrolled in charter schools are entitled to special education services provided in a like manner to students enrolled in other public schools. Charter schools within the SELPA shall comply with all applicable requirements of state and federal law regarding provision of special education services (Education Code section 56000 et seq., Individuals with Disabilities Education *Improvement* Act 20 U.S.C. Chapter 33). A charter school shall not discriminate against any pupil in its admission criteria on the basis of disability. Funding for special education services, participation in the governance structure and responsibility for provision of services shall be based on the categorization of the individual charter school.

Charter schools should delineate in their petition or a memorandum of understanding (MOU) the entity responsible for providing special education instruction and services. This document should reference any anticipated transfer of special education funds between the granting entity and the charter school and any provisions for sharing deficits in funding. This document should affirm, in writing, that the district where the student resides, if different than the chartering entity, is not responsible for providing special education services to students that are enrolled in the charter school.

SELPA Involvement with Approval and Renewal of Charters

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Prior to approval or renewal of a charter, the superintendent or designee of the chartering entity should consult with the SELPA Administrator regarding the sufficiency of assurances in the petition related to the provision of special education services. The petition presented should include assurances that all eligible students enrolled in the charter school will receive appropriate special education services in accordance with applicable state and federal laws and regulations as well as the Local Plan. The petition must provide that no student otherwise eligible to enroll in the charter school will be denied enrollment due to a disability or to the charter school's inability to provide necessary services. In compliance with Education Code section 47605, each charter petition must contain a reasonably comprehensive description of the charter school's educational program. These descriptions should include descriptions of special education services, including the following:

- The specialized instruction and services available at the charter school;
- The procedures for ensuring that students are referred, assessed and served in a timely manner;
- Assurances that staff members providing special education services are appropriately credentialed;
- Assurances that the facility used by the charter school does not present physical barriers that would limit an eligible student's full participation in the educational and extracurricular program;
- Assurances that disenrollment, suspension and expulsion policies and procedures must ensure that afford the protections of federal and state law are afforded to special education and 504 eligible students; and
- Dispute resolution procedures that will apply to any disputes between educational entities, including the SELPA and its member LEAs, regarding the provision of special education services in the charter school.

Categories of Charter Schools

For the purposes of provision of special education services; charter schools shall be deemed either a public school within the chartering district or an LEA that receives funds and provides services independent of the chartering entity. All approved charter schools will be deemed public schools within the chartering entity until the charter school has been deemed an LEA following this policy and the Local Plan for Special Education (Local Plan).

A. Public School Within a School District or County Office

Charter schools that are deemed to be public schools within the chartering entity will participate in state and federal funding in the same manner as other schools or programs within the chartering entity. The chartering entity will be responsible for ensuring that all children with disabilities enrolled in the charter school receive special education and designated instruction and services in a manner that is consistent with all applicable provisions of state and federal law, no matter where the student may reside. The chartering entity will determine the policies and procedures necessary to ensure that the protections of special education law extends to students in the charter school in the same manner as students enrolled in other schools or programs administered by the chartering entity.

The chartering entity will:

- Receive all applicable special education funds. Funds will be allocated in the manner specified by the SELPA allocation plan;
- Represent the needs of the charter school in the SELPA governance structure;
- Be responsible for ensuring that all eligible students enrolled in the charter school are appropriately referred, assessed and served in a timely manner, no matter where the child may live;
- Be responsible for procuring and funding appropriate special education services; and
- Provide necessary special education services or contract for these services with public or private

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educational agencies.

The chartering entity and the charter school may enter into business agreements or contracts whereby the charter school agrees to pay for the excess costs associated with providing special education services to identified students, including the administration of special education programs. When the chartering entity is a district, the charter school should be held fiscally responsible for a fair share of any encroachment on district general funds that is created by the provision of special education services throughout the district. The chartering entity may not condition granting a charter on a provision that the charter school must become an LEA.

B. Charter School as an LEA within the SELPA

A charter school that includes in its petition for establishment or renewal, or that otherwise provides verifiable written assurances that the charter school will participate as an LEA for the purposes of providing special education, may apply to become a member of the Yuba County SELPA, or another approved SELPA.

Charter schools that wish to become member LEAs in the Yuba County SELPA must submit their application must be made to the SELPA on or before January 1 of the school year proceeding the school year in which the charter school anticipates operating as a member LEA within the SELPA, unless Superintendents' Council approves an expedited process. If approved, the charter school LEA will become a member effective on July 1 of the school year in which final approval was granted. If disapproved, the SELPA administrator will provide the applicant with a written finding that delineates the reason(s) for disapproval.

Once granted membership within the SELPA, the LEA charter school will participate on an equal basis with other members in the governance of the SELPA. A charter school LEA will have equal voting power with non-charter LEAs as described in the governance section of the Local Plan.

The applicant charter school will be deemed a member LEA if the Council of Superintendents determines that the charter school has met all requirements to be included as a member LEA of the SELPA as specified in this policy and the Local Plan. These requirements include:

- Provide assurances that all enrolled individuals with exceptional needs have access to appropriate special education programs and services;
- Provide assurances that the LEA, through employment or contract, can provide the appropriately credentialed staff necessary to meet federal and state special education mandates;
- Provide assurance that the LEA will follow all applicable SELPA policies and procedures, including but not limited to;
- Identification, referral and placement (Part B, Section 1(A))
- Procedural safeguards (Part B, Section 1(B))
- Regionalized services, including excess costs (Part B, Section 1)
- Placement procedures and funding for students placed in Hospitals, Licensed Children's Institutions, Juvenile Court/Community School programs (Part B, Section 1 (E)(F)(G))
- Costs of programs and services, including transportation (Part B, Section 1 (H))
 - Use SELPA approved forms in an appropriate manner;
 - Attend SELPA sponsored in-service and trainings;
 - Place special education students in inter or intra- SELPA programs only with the expressed consent of the receiving entity and under the condition that the placing entity will be

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responsible for any excess costs attributable to the placement.

- Accept inter-intra SELPA placements only with agreement between the educational entities. Under such circumstances, the placing LEA will be responsible for any excess costs, including transportation, in accordance with the Local Plan; and
- Indemnify and hold harmless the SELPA and each of the member entities.

Once deemed a member LEA, the charter school, like other member LEAs shall:

- Fully participate in governance of the SELPA in the manner outlined in the Local Plan;
- Accept all responsibilities of an LEA in the implementation of the Local Plan;
- Fully comply with policies and procedures outlined in the Local Plan;
- Where applicable, contribute to, participate in, and receive the benefits of Regionalized Services;
- Receive state and federal funding for special education in accordance with the SELPA funding Allocation Plan;
- Receive any available federal funds one year in arrears and calculated based on applicable special education counts;
- Be responsible for all costs incurred in the provision of special education services, without regard for the location in which the student may reside. These costs may include, but are not limited to, instruction, services, transportation, nonpublic school/agency placements, inter/intra SELPA placements, due process proceedings, complaints and attorney fees;
- Document that all state and federal special education funds apportioned to the charter school are used for the sole purpose of providing special education instruction and/or services to identified students with disabilities. Such funds shall be used to supplement and not supplant other sources of federal, state and local funds apportioned to charter schools; and
- Return any special education apportionment not used solely for the purpose of providing special education instruction and/or services to identified students with disabilities. With the exception that charter schools may retain an agreed upon percentage for the purpose of establishing a restricted reserve account to meet unanticipated special education costs.

If the approval of a charter school requires a change in the SELPA allocation plan, such change shall be adopted pursuant to the policy making process outlined in the Local Plan. A request from a charter school to participate in the SELPA will be treated in the same manner as such a request from a school district. (E.C. 47646)

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
The members of the community advisory committee are appointed by, and responsible to, the governing board of each participating charter LEA, district or county office, or any combination thereof participating in the local plan (*California Ed. Code 56191*). The community advisory committee is composed of parents of individuals with exceptional needs enrolled in public or private schools, parents of other pupils enrolled in school, pupils and adults with disabilities, regular education teachers, special education teachers and other school personnel, representatives of other public and private agencies, and persons concerned with the needs of individuals with exceptional needs (*California Ed. Code 56192*). Individuals are nominated to the Community Advisory Committee (CAC) through their member LEA administration or through the CAC membership committee. Service terms will be for at least two years and are annually staggered to ensure that no more

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than one half of the membership serves the first year of the term in any one year.

When developing the SELPA Local Plan, the CAC shall:

1. Recruit parents and other volunteers who may contribute to the implementation of the Local Plan.
2. Encourage public involvement in the development and review of the local plan.
3. Assist in parent education and in recruiting parents/guardians, volunteers, and agencies that may contribute to the implementation of the Local Plan.
4. Encourage community awareness and involvement in the development and review of the Local Plan.
5. Serve as an advisory committee in the development and review of the Local Plan, Annual Budget Plan and Annual Service Plan for the SELPA
6. Have 30 days to review the Local Plan prior to submission to the California Department of Education for review and approval.

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:

When engaging in either an annual or triennial review of the SELPA local plan, or when making updates and/or adjustments to the SELPA local plan, various representatives from member LEA representatives are organized to form a work group that consist of the following individuals:

1. SELPA Director
2. Member LEA Superintendent(s) and Administrator(s)
3. Member LEA regular and special education teachers (selected by member LEA administrators)
4. SELPA Administrative Unit Director of Fiscal Services and member LEA business officials
5. Volunteer parent representative(s) and the SELPA Community Advisory Committee chair
6. Community partners and agencies who advocate for or the deliver special education services

The purpose of the work group is to advise the SELPA Director regarding any omissions, changes or preservation of language regarding the SELPA governance, budgetary allocation of fiscal resources and allocation of special education services in the Local Plan. The work group advises on the update of such language to be in accordance and compliance with California Education Code or local policies and procedures.

Any proposed content changes regarding SELPA governance and administration (Local Plan Section B) following the work group advisory reviews; such proposed changes are to be reviewed, discussed and approved by the Superintendents' Governance Council as well as the local governing boards prior to being sent to CDE for final review and approval.

The SELPA Annual Budget Plan (Local Plan Section D and associated attachments) and Annual Service Plan (Local Plan Section E and associated attachments) are developed each year. Members of the work group advise the SELPA Director on content within each plan. Upon completion of both plans, the Yuba County SELPA, Yuba County Office of Education and member LEAs publicly post a notice of public hearing at least 15 days prior to the date of the public hearing. During the public hearing, members of the Superintendent's governance council review and approve them plans for submission to the California Department of Education by June 30 annually.

All approved sections of the Local Plan are posted on the websites of the Yuba County SELPA, Yuba County Office of Education, member LEAs.

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8. Identify and describe the responsible local agency (RLA), Administrative Unit (AU), or other agency who is responsible for performing tasks such as the receipt and distribution of funds, provision of administrative support, and coordination and implementation of the plan:

Responsible Local Agency/Administrative Unit

The Responsible Local Agency (RLA) is the Yuba County Office of Education. The Yuba County Superintendent is the RLA Superintendent. The Yuba County Office of Education is the Administrative Unit (AU). 56205 (a) (1)

Responsibilities of the Responsible Local Agency Superintendent:

1. Receive and maintain accountability for the use of Regionalized Service funds appropriated to the Special Education Local Plan Area.
2. Establish appropriate record keeping procedures to be followed by each Local Education Agency for purposes of maintaining accurate fiscal and accounting records in accordance with State and Federal requirements and submit required reports to the appropriate authorities.
3. Provide technical support of the statewide reporting system necessary to comply with the requirements of the California Department of Education.

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:

It shall be the policy of each Local Education Agency (LEA) member of the Yuba County SELPA, that interagency contractual agreements and other means for interagency coordination are in effect to ensure services required for free appropriate public education (FAPE) are provided, including the continuation of services during an interagency dispute resolution process.

The Local Education Agency (LEA) is responsible for obtaining all services and service providers needed as outlined in the Individualized Education Program (IEP) or Individualized Family Service Plan (IFSP). The LEA shall monitor the statutory timelines to ensure services are provided without delay.

When another agency providing a related service fails to provide the service listed on the IEP/IFSP, the LEA is responsible and shall provide the service in accordance with an IEP/IFSP, unless otherwise provided by law, without a disruption in service, and at no cost to the parent/guardian.

When IEP designated services and placements are needed for a student that are not available or accessible through the SELPA's system of interagency contractual agreements, LEA members may choose to enter into a contractual agreement for services with a CDE certified non-public agency (NPA) or a non-public school (NPS) with the SELPA master contract.

All nonpublic school and nonpublic agency contractor services shall be provided consistent with the area of certification specified by CDE certification and as defined in California Education Code, section 56366 *et seq* and within the professional scope of practice of each provider's license, certification and/or credential. The contractor shall comply with all applicable federal, state, and local statutes, laws, ordinances, rules, policies and regulations.

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The contractor shall also comply with all applicable LEA policies and procedures unless, taking into consideration all of the surrounding facts and circumstances, a policy or policies or a portion of a policy does not reasonably apply to contractor.

10. For multi-LEA local plans, specify:

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

Governing Board Responsibilities for Policy Making
Suggestions leading to the development of policy statements and/or changes in existing policy may originate at any level within the governance structure of the Yuba County Special Education Local Plan Area or from the Community Advisory Committee in its capacity. Policy considerations are to be dealt with in accordance with the following procedure:

1. All suggestions and/or requests for policy development or change are to be directed to the Superintendents'/Operations Council, passing through any intermediate review steps, as dictated by the governance structure.
2. The Superintendents'/Operations Council will consider all such requests.
3. If the Superintendents'/Operations Council determines such a policy is desirable or needed, the Council will have a draft of such a policy written.
4. The SELPA Director will draft recommended policies in consultation with LEA representatives.
5. The Superintendents'/Operations Council will take action to approve or reject the proposed policy. A policy will be considered adopted when a majority of the Superintendents'/Operations Council has approved.

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

Responsibilities of Superintendents
The Yuba County SELPA is comprised of a Responsible Local Agency (RLA) Superintendent and Local Education Agency Superintendents (approved LEA members). Each superintendent has responsibilities as described below.

The County Superintendent of Schools of Yuba County shall be designated as the Superintendent of the Responsible Local Agency. The RLA Superintendent will serve as chairperson of the Superintendents' Council and will have the responsibility for the coordination and implementation of the Local Plan in accordance with approved policies and procedures.

Responsibilities of the Responsible Local Agency Superintendent:

1. Coordinate and schedule (with input from the Superintendents' Council and the Administrator of the Local Plan Area known as the "SELPA Director") the time, date and place for meetings of the Superintendents' Council and Operations Council.
2. Serve as the employer for personnel who have responsibilities throughout the Local Plan Area, such as the SELPA Director and classified employees of the SELPA. Employment of such personnel

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will be in accordance with personnel policies and practices of the Yuba County Office of Education and in coordination with any procedural employment policies approved by the Superintendents' Council.

3. Coordinate the job posting, interviews, hiring and compensation of the SELPA Director, together with the members of the Superintendents' Council. The SELPA Director serves at the pleasure of all district Superintendents and the Executive Director of the out-of-geographic area charter school.
4. Arrange for and coordinate the management evaluation of the SELPA Director with the members of the Superintendents' Council, including discipline and termination, if necessary, to insure that all district Superintendents and the Executive Director of the out-of-geographic area charter school have input into the evaluation process. The RLA Superintendent shall discuss employment issues regarding the SELPA Director with the Superintendents' Council.
5. Provide suitable office space for both certificated and classified employees of the SELPA.
6. Receive and maintain accountability for the use of Regionalized Service funds appropriated to the Special Education Local Plan Area.
7. Establish appropriate record keeping procedures to be followed by each Local Education Agency for purposes of maintaining accurate fiscal and accounting records in accordance with State and Federal requirements and submit required reports to the appropriate authorities.
8. Provide technical support of the statewide reporting system necessary to comply with the requirements of the California Department of Education.

Responsibilities of the Superintendent of the Local Education Agency

1. Provide leadership within the Local Education Agency in support of the special education programs.
2. Represent the Local Education Agency as a member of the Superintendents' Council.
3. Act as a liaison between the governing board of the Local Education Agency and the Superintendents' Council.
4. Advise the Local Education Agency governing board of policies adopted by the Superintendents' Council and provide the governing board with copies of such policies.
5. Recommend the adoption of Local Education Agency special education policies to the governing board.
6. Annually recommend to the governing board the modifications of Local Education Agency special education programs which are necessary to meet the changing needs of the students, to be included in the required Annual Service and Budget Plans submitted to the SELPA.

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

Responsibility of Local Governing Boards

1. Carry out the duties and responsibilities assigned to each LEA.
2. Annually review and approve special education programs and services of the Local Education Agency.
3. Operate local programs consistent with state and federal law and regulations and policies and procedures approved for the Special Education Local Plan Area.
4. Designate the Superintendent of the LEA to participate in the development and adoption of policies related to the governance and operation of the Special Education Local Plan Area.
5. Develop and adopt policies for the operation of the Local Education Agency, which are consistent with those of the Special Education Local Plan Area, and which promote the concept to ensure access to appropriate programs and services for all children with disabilities.
6. Participate in the nomination, selection, and appointment of Local Agency representatives to the Community Advisory Committee.
7. Provide suitable housing for special educational programs maintained by the Local Education Agency.
8. Cooperate with the Superintendent of the RLA and the governing boards of participating Local Agencies to assure the availability of appropriate services to eligible individuals regardless of District of Residence.
9. Approve the state-required policies of the Local Plan developed for the Yuba County Special Education Local Plan Area prior to review by the State Department of Education.
10. Ensure LEA compliance with all elements of the Local Plan.

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:

Responsibilities of the Responsible Local Agency Superintendent:

1. Serve as the employer for personnel who have responsibilities throughout the Local Plan Area, such as the SELPA Director and classified employees of the SELPA. Employment of such personnel will be in accordance with personnel policies and practices of the Yuba County Office of Education and in coordination with any procedural employment policies approved by the Superintendents' Council.
2. Coordinate the job posting, interviews, hiring and compensation of the SELPA Director, together with the members of the Superintendents' Council. The SELPA Director serves at the pleasure of all district Superintendents and the Executive Director of the out-of-geographic area charter school.
3. Arrange for and coordinate the management evaluation of the SELPA Director with the members of the Superintendents' Council, including discipline and termination, if necessary, to insure that all district Superintendents and the Executive Director of the out-of-geographic area charter school have input into the evaluation process. The RLA Superintendent shall discuss employment issues regarding the

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SELPA Director with the Superintendents' Council.

Responsibilities of the Superintendent of the Local Education Agency

1. Collaborate with RLA Superintendent in the hiring of the SELPA Director by participating on the interview panel.
2. Collaborate with RLA Superintendent by providing input into the SELPA Director's evaluation, including discipline and termination, if necessary.
3. Provide input to Superintendents' Council when determining assigned tasks to the SELPA Director and SELPA staff in accordance with the duties set forth in the SELPA Local Plan.

Responsibilities of the SELPA Director

1. Recommend employment of, assign, supervise, and evaluate SELPA staff, including program specialists, employed by the RLA.
2. Provide assistance to SELPA staff to carry out their responsibility to ensure that all pupils have access to full educational opportunity per the SELPA Local Plan.

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

It shall be the policy that each Local Education Agency (LEA) member of the Yuba County SELPA is assured an equitable share of federal and state special education funds available to the SELPA to provide special education services to students residing within each LEA. Services may be provided through funds allocated to the district of residence, another school district or LEA, a county office, or another SELPA.


All special education funding is dispersed per the SELPA's Administrative Unit (AU) Memorandum of Understanding with member LEAs. The SELPA Finance Committee provides every LEA member the opportunity to review current fiscal calculations and allocations to make informed recommendations to the Superintendents'/Operations Council.

Within the SELPA there are various methods of revenue allocation. Most districts and programs receive a per ADA allocation based on the current year P2 ADA for federal and state funding. Other methods have been determined to be more appropriate based on circumstances, therefore other calculations and agreements are in place as described in the allocation of funding memorandum of understanding between the AU and member LEAs.

Funding Allocation to LEAs and Programs

AB602 and Federal Local Assistance funds will be allocated based on ADA and/or other agreed formulas within the SELPA Memorandum of Understanding between the AU and SELPA LEA members. The Yuba County Office of Education will receive property tax as an offset to the State AB602 funding allocation.

SELPA Program Specialist/Regionalized Services (PS/RS) funding remains with the AU to fund all SELPA administrative services which includes the SELPA Director, support staff, SELPA special education data reporting, fiscal reporting and program specialist services.

Low Incidence funding remains with the AU. The allocated amount is split based on the agreement made by the 

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Superintendents' Governance Council. Percentages to fund visual impairment services and the purchasing of low incidence equipment may be adjusted as needed per the established MOU agreement.

Out-of-Home funding is based on various facility types which include:

- Group Home Funding
- Foster Family Home Funding
- Small Family Home Funding
- Foster Family Agency Funding
- Skilled Nursing Facility Funding
- Intermediate Care Facility Funding
- Community Care Facility Funding

Allocation will be made to those LEAs that can be identified as the District of Location where the facility is located. Funding types that cannot be identified by location, such as foster family agency, will be allocated to member LEAs within Yuba County based on P-2 ADA.

Responsibilities of the Responsible Local Agency Superintendent:

1. Receive and maintain accountability for the use of Regionalized Service funds appropriated to the Special Education Local Plan Area.
2. Establish appropriate record keeping procedures to be followed by each Local Education Agency for purposes of maintaining accurate fiscal and accounting records in accordance with State and Federal requirements and submit required reports to the appropriate authorities.
3. Provide technical support of the statewide reporting system necessary to comply with the requirements of the California Department of Education.

Responsibilities of the Superintendent of the Local Education Agency

1. Annually recommend to the governing board the modifications of Local Education Agency special education programs which are necessary to meet the changing needs of the students, to be included in the required Annual Service and Budget Plans submitted to the SELPA

Responsibilities of the SELPA Director

1. Coordinate with LEAs that run regionalized programs to prepare annual budget that is submitted to the Superintendents' Council, in the spring prior to the start of the school year.
2. Provide necessary procedures and data to the RLA to allocate federal and state funds to the LEAs within the SELPA.
3. Monitor the appropriate use of federal, state and local funds allocated for special education programs.
4. Prepare program and fiscal reports required of the SELPA by the state and manage the data to comply with all state requirements that are submitted to the statewide reporting system.

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

Responsibilities of the Responsible Local Agency Superintendent:

1. The RLA Superintendent will serve as chairperson of the Superintendents' Council and will have the

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responsibility for the coordination and implementation of the Local Plan in accordance with approved policies and procedures.

Responsibilities of the Superintendent of the Local Education Agency

1. Annually recommend to the governing board the modifications of Local Education Agency special education programs which are necessary to meet the changing needs of the students, to be included in the required Annual Service and Budget Plans submitted to the SELPA.

Responsibilities of the SELPA Director

1. Support the development of regionalized programs.
2. Meet with the Superintendents' Council to keep them informed of the status of the special education programs as needed.
3. Facilitate conversations regarding the status of special education programs and services within the SELPA for the Superintendents' Council and others, as appropriate.
4. Provide assistance to SELPA staff to carry out their responsibility to ensure that all pupils have access to full educational opportunity.
5. Provide support to the LEAs of the SELPA in their operation of special education programs and services.

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

It shall be the policy of each Local Education Agency (LEA) member of the Yuba County SELPA to provide data assurances that funds received from Part B of the Individuals with Disabilities Education Act (IDEA) will be expended in accordance with the applicable provisions of IDEA and will be used to supplement and not to supplant state, local, and other federal funds.

Each Local Education Agency (LEA) member of the Yuba County SELPA shall assure Federal compliance through sound budget development and fiscal review. Each LEA shall provide the following documentation to the SELPA:

1. Annual Service Plan
2. Annual Budget Plan
3. Annual Maintenance of Effort
4. Annual Excess Cost Report
5. Annual Table 8 Report
5. Plus any other additional fiscal or program information potentially required to meet the requirements of the policy.

Each Local Education Agency (LEA) member of the Yuba County SELPA shall provide data or information to the SELPA and California Department of Education that may be required by regulations.

All data is verified by the Yuba County SELPA prior to submission to the California Department of Education (CDE) via the statewide reporting system. This data shall be collected and reported in accordance with the required state deadlines.

Responsibilities of the Responsible Local Agency Superintendent:

1. Receive and maintain accountability for the use of Regionalized Service funds appropriated to the

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Special Education Local Plan Area.

2. Establish appropriate record keeping procedures to be followed by each Local Education Agency for purposes of maintaining accurate fiscal and accounting records in accordance with State and Federal requirements and submit required reports to the appropriate authorities.
3. Provide technical support of the statewide reporting system necessary to comply with the requirements of the California Department of Education.

Responsibilities of the Superintendent of the Local Education Agency

Annually recommend to the governing board the modifications of Local Education Agency special education programs which are necessary to meet the changing needs of the students, to be included in the required Annual Service and Budget Plans submitted to the SELPA.

Responsibilities of the SELPA Director

1. Monitor the appropriate use of federal, state and local funds allocated for special education programs.
2. Prepare program and fiscal reports required of the SELPA by the state and manage the data to comply with all state requirements that are submitted to the statewide reporting system.

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:

The Yuba County SELPA serves all pupils, ages 0-22, who are identified as individuals with exceptional needs, including those identified as having "low incidence disabilities." It is the policy of this SELPA to follow all related federal and state laws related to low incidence disabilities.

"Low incidence disabilities" shall be defined as disabling conditions associated with: hearing impairments (deaf or hard of hearing), vision impairments (blind or visually impaired), and orthopedic impairments, or any combination thereof that adversely impact educational performance.

The Yuba County SELPA Local Education Agency (LEA) members, including charter schools, will follow the guidelines as set forth in the SELPA Low Incidence Manual. Requests for low incidence equipment purchases are submitted to the SELPA as needed throughout the academic year. Requests are reviewed monthly and approved by the SELPA Operations Council. Upon receipt and internal processing of equipment, member LEAs are notified of equipment arrival and distribution to the student.

In order to increase opportunities to serve students in the least restrictive environment, funding is provided from the state within the AB602 allocation.

The low incidence funding supports the provision for specialized services for students with low incidence disabilities as required under the Individualized Education Program (IEP) for each pupil with low incidence disabilities as defined in California Education Code Section 56026.5: "hearing impairments, vision impairments, severe orthopedic impairments, or any combination thereof." Expenditures are limited to supporting low incidence specialized services such as interpreters, note takers, readers, transcribers, and others who provide specialized services to students with low incidence disabilities.

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Every LEA, including charter schools, are responsible for providing a student with disabilities who requires the use of an assistive technology device with continued access to that device, or to a comparable device, when the student, because of enrollment in another LEA, ceases to be enrolled in that LEA. This responsibility is in force until alternative arrangements for providing the student with continuous access to the assistive technology device, or to a comparable device, can be made or until two months have elapsed from the date that the student ceased to be enrolled in that LEA, whichever occurs first.

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:

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

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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 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:

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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)

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:

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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:

"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

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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:

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

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adopted by the SELPA as stated:

Yes No

14. Personnel Qualifications

Policy/Procedure Number:

Document Title:

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

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student will access assessments with or without accommodations, or access alternate assessments where necessary and as indicated in their respective Reps.." The policy is adopted by the SELPA as stated:

Yes No

17. Supplementation of State, Local, and Federal Funds: 20 USC Section 1412(a)(17)

Policy/Procedure Number:

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)

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

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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:

"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

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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

Pursuant to *EC* sections 56195.7(c), 56205(a)(12)(B), 56368, and 56836.23, describe the regionalized operation and service functions. Descriptions must include an explanation of the direct instructional support provided by program specialists; and the respective roles of the RLA/AU, the SELPA administrator, and the individual LEAs associated with the SELPA. Information provided should include the reference number, document title, and the location (e.g., SELPA office) for each function:

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

Reference Number:

Document Title:

Document Location: https://www.yubacoe.org/selpa"/>

Direct instructional support provided by Program Specialist:

The Program Specialist duties may be performed by SELPA Program Specialists:

Program specialist support services may be available to individuals with exceptional needs, their families, and district staff upon LEA request.

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Program Specialist/Coordinator personnel requirements:

- holds a valid special education credential, clinical services credential, health services credential, or a school psychologist authorization,
- has advanced training and related experience in the education of individuals with exceptional needs and has a specialized in-depth knowledge in one or more areas of major disabilities, preschool disabilities, or career vocational development.

Role of the RLA/AU:

The Administrative Unit (AU) for the Yuba County SELPA will be responsible for functions such as, but not limited to:

- Receipt and distribution of special education funds to district accounts for the Special education programs and services, pursuant to state and federal law.
- Receipt and distribution of special education funds to accounts exclusively designated for SELPA use.
- Employment of staff to support SELPA functions.
- Submission of all SELPA budgets for Superintendents' Governing Council approval, receiving, and expending those funds, based upon the needs of special education students residing in the Local Plan area, as recommended by the Superintendents' Governance Council
- Establishing and maintaining an office for the Yuba County SELPA
- Employ a SELPA Director to coordinate implementation of the Local Plan throughout the Local Plan area and with other SELPAs, as appropriate.

Role of the SELPA Director:

The SELPA Director is a full-time employee who coordinates the operation of all special education services of the SELPA pursuant to law and will administer those functions delegated to the SELPA pursuant to the Local Plan adopted by the Superintendents' Council. The SELPA Director serves under the direction of the Superintendents' Council and assumes responsibility for duties delegated by the Superintendents' Council in coordination with the Superintendent of the RLA. The SELPA Director is a non-voting member of the Superintendents' Governance and Operations Council.

Responsibilities of the SELPA Director - E.C. 56205 (D) (ii)

Under the direction of the Superintendents' Council, the SELPA Director shall be responsible to:

1. Support the development of regionalized programs.

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Description:

2. Meet with the Superintendents' Council to keep them informed of the status of the special education programs as needed.
3. Establish a procedure for the regular distribution of the agenda and minutes of meetings of the Superintendents'/Operations Council, Finance Advisory Committee, and the Community Advisory Committee.
4. Serve as the Chairperson of Operations Council and assist members to implement each LEA's responsibility under the Local Plan.
5. Function as secretary to the CAC to assist in promoting community involvement and work closely with the Committee to develop recommendations to be presented to Superintendents'/Operations Council.
6. Coordinate with LEAs that run regionalized programs to prepare annual budget that is submitted to the Superintendents' Council, in the spring prior to the start of the school year.
7. Facilitate conversations regarding the status of special education programs and services within the SELPA for the Superintendents' Council and others, as appropriate.
8. Recommend employment of, assign, supervise, and evaluate SELPA staff employed by the RLA.
9. Provide assistance to SELPA staff to carry out their responsibility to ensure that all pupils have access to full educational opportunity.
10. Provide necessary procedures and data to the RLA to allocate federal and state funds to the LEAs within the SELPA.
11. Provide support to the LEAs of the SELPA in their operation of special education programs and services.
12. Monitor the appropriate use of federal, state and local funds allocated for special education programs.
13. Prepare program and fiscal reports required of the SELPA by the state and manage the data to comply with all state requirements that are submitted to the statewide reporting system.
14. Confer with the RLA Superintendent to schedule regular meetings of the Superintendents' Council. Schedule regular meetings for the Superintendents' Council, Finance Advisory, and Community Advisory Committee for policy and budget development, support, and information sharing.
15. Ensure the implementation of all federal, state and local responsibilities of the SELPA, including personnel development and procedural safeguards and other assurances.
16. Develop and recommend to Superintendents' Council, a plan for personnel development, including training for staff and parents.
17. Coordinate procedures to assist LEAs with NPS/NPA services, including responsibility for negotiating rates and executing Master

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Contracts on behalf of all LEAs in the SELPA.

18. Assist LEAs in mediation and due process hearings.

19. Recommend to Superintendents' Council, a plan for the sharing of Regionalized Service funds when Local Education Agencies are required to perform duties related to staff development, fiscal and accounting reports or other data gathering activities associated with required reporting activities.

Role of the individual LEAs:
Each local education agency governing board is responsible for approving the participation of its local educational agency in this Local Plan for special education, as described in this Local Plan. Its support and recommendations are essential to effective implementation and operation of the Local Plan. Each member LEA is responsible to ensure a full continuum of services are available in order to provide a free and appropriate public education to all students with disabilities for whom they are responsible. Each voting member LEA will approve any policies and procedures needed to implement the local plan.

2. Coordinated system of identification and assessment:

Reference Number:

Document Title:

Document Location: https://www.yubacoe.org/selpa"/>

Direct instructional support provided by Program Specialist:
Program Specialist may observe, consult with, and assist member LEA resource specialists, related services providers, and special day class teachers to assist in the referral, identification and assessment process.

Role of the RLA/AU:
The role of the RLA/AU related to the coordinated system of identification and assessment is the same as the role of each LEA. The AU will support child find awareness activities through social media, Yuba County Office of Education and Yuba County SELPA website, and other informational activities and community events.

Role of the SELPA Director:
The SELPA Director assists the conduct of child find activities through:

- Annual distribution of child find materials to local child care facilities,

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Description:

private schools, medical offices, nonprofit organizations focused on serving children and interested parties.

- Staffing community events and distributing child find activities.
- Maintaining child find information on the Yuba County SELPA website.
- Providing workshops on child find.
- Providing technical assistance and guidance to LEAs, community agencies and parents.

Role of the individual LEAs:
The Governing Boards of the Yuba County SELPA assure an ongoing effort to identify all individuals with disabilities including infants, children for whom English is not a primary language, students with low incidence disabilities, students attending private schools and home schools, highly mobile children, children that are homeless or wards of the State, and children who are suspected of having a disability and in need of special education even though they are advancing from grade to grade.

3. Coordinated system of procedural safeguards:

Reference Number:

Document Title:

Document Location:

https://www.yubacoe.org/selpa"/>

Description:

Direct instructional support provided by Program Specialist:
The Program Specialist may provide alternate dispute resolution with districts as requested by parents. The program specialists assure procedural safeguards by providing technical assistance and guidance on forms and procedures to LEAs in the areas of assessment, identification, and placement.

Role of the RLA/AU:
The role of the RLA/AU is the same as the role of each member LEA.

Role of the SELPA Director:
The SELPA Director ensures the implementation of all federal, state and local responsibilities of the SELPA including procedural safeguards. The SELPA provides alternate dispute resolution with districts as requested by parents. The SELPA assists parents with filing complaints with the Office of Administrative Hearings when requested. The SELPA

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also assures procedural safeguards by providing technical assistance and guidance on forms and procedures to LEAs in the areas of assessment, identification, and placement. The SELPA provides parents with a copy of their procedural safeguards upon request and will maintain a copy on their website.

Role of the individual LEAs:
Member LEAs of the Yuba County SELPA ensure that children with disabilities and their parents/guardians shall be provided with safeguards throughout the identification, evaluation, placement process, and the provision of a free appropriate public education (FAPE) to each child. They provide procedural safeguards to parents consistent with the education code, assist parents with understanding them, and ensure that they are implemented. The LEAs assist parents with filing complaints with the Office of Administrative Hearings when requested.

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

Reference Number:

Document Title:

Document Location: https://www.yubacoe.org/selpa"/>

Description:

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

Reference Number:

Document Title:

Document Location: https://www.yubacoe.org/selpa"/>

Description:

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: https://www.yubacoe.org/selpa"/>

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Description:

Role of the RLA/AU:

The role of the RLA/AU related to the coordinated system of internal program review, evaluation of the effectiveness of the local plan, and implementation of the local plan accountability systems is the same as the same as the role of each LEA.

Role of the SELPA Director:

The SELPA Director:

- Ensures the Superintendents' Governance Council receives annual input on the local plan from required stakeholders, including parents of the CAC, general and special education staff and administrators.
- Reports monthly to the Superintendents' Governance Council in a public meeting, a summary of the SELPA's activities on behalf of its members.
- Participates in monitoring activities and supports the development of LEA improvement plans (Special Education Plan) and overall implementation.

Role of the individual LEAs:

Member LEAs review and monitor Annual Performance Reports, the California School Dashboard, and other local data sources to ensure students with disabilities receive a free and appropriate public education. They engage in monitoring activities at a local level and as required by the California Department of Education.

7. Coordinated system of data collection and management:

Reference Number:

Document Title:

Document Location:

https://www.yubacoe.org/selpa"/>

Direct instructional support provided by Program Specialist:

The Program Specialist may review special education data to target professional development and provide technical assistance to member LEAs.

Role of the RLA/AU:

The role of the RLA/AU related to the coordinated system of data collection and management is the same as the same as the role of each

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Description:

LEA.

Role of the SELPA Director:
The SELPA Director:

- Ensures timely collection of data for state reporting.
- Provides technical assistance and training to LEAs upon request.
- Approves the California Longitudinal Assessment and Pupil Data System (CALPADS) and DRDP data submissions of each member LEA as required by the California Department of Education.

Role of the individual LEAs:
Member LEAs are responsible for data entry, quality and integrity. The LEAs approve the California Longitudinal Assessment and Pupil Data System (CALPADS) submission as required by the California Department of Education.

8. Coordination of interagency agreements:

Reference Number:

Document Title:

Document Location:

Yuba County SELPA Office
935 14th Street, Marysville, CA 95901
<https://www.yubacoe.org/selpa>

Description:

Direct instructional support provided by Program Specialists:
Not applicable.

Role of the RLA/AU:
The role of the RLA/AU related to the coordinated system of interagency agreements is the same as the role of each LEA.

Role of the SELPA Director:
The SELPA Director:

- Annually reviews interagency agreements.
- Renews interagency agreements, when applicable.
- Develops interagency agreements as needed.
- Posts interagency agreements on the SELPA website.

Role of the individual LEAs:
Through their representative to the Superintendents' Governance Council, LEAs implement interagency agreements as appropriate.

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9. Coordination of services to medical facilities:

Reference Number:

Document Title:

Document Location: https://www.yubacoe.org/selpa"/>

Description:

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

Reference Number:

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Document Title:

Document Location: https://www.yubacoe.org/selpa"/>

Description:

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

Reference Number:

Document Title:

Document Location: https://www.yubacoe.org/selpa"/>

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Description:

Direct instructional support provided by Program Specialists:
Not applicable.

Role of the RLA/AU:
The role of the RLA/AU related to the preparation and transmission of required special education local plan area reports is the same as the role of each LEA.

Role of the SELPA Director:
The SELPA Director will ensure timely transmission of required reports and provide technical assistance to member LEAs in completing the reports.

Role of the individual LEAs:
Member LEAs will maintain accurate records and submit required data to the SELPA Directors for timely submission of required reports.

12. Fiscal and logistical support of the CAC:

Reference Number:

Document Title:

Document Location:

https://www.yubacoe.org/selpa"/>

Description:

Direct instructional support provided by Program Specialist:
The Program Specialist may attend Community Advisory Committee (CAC) meetings and provide resources, training and technical assistance to its members.

Role of the RLA/AU:
The role of the RLA/AU related to the fiscal and logistical support of the CAC is the same as the role of each LEA.

Role of the SELPA Director:
The SELPA Director will serve as the secretary to the CAC to assist in promoting community engagement in the work aligned for promoting equity and access for students with disabilities. He/she will work closely with the CAC to develop recommendations to be presented to Superintendents' Governance and Operations Councils that promote the equity and access of students with disabilities within member LEAs and their communities across the SELPA region. The SELPA Director

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will work with the Superintendents' Governance Council for the provision of any fiscal, human and logistical resources to support the work of inclusive practices which promote equity and access.

Role of the individual LEAs:
Member LEAs shall encourage active participation in the SELPA CAC to further support the development of strong communication between LEAs and families/guardians who have a child(ren) with disabilities. Parents/guardians who serve as voting members on the CAC, are nominated by member LEA governing boards or through the CAC membership committee. Allocation of fiscal and logistical support is encouraged through member LEA Local Control Accountability Plans (LCAPs). Member LEAs shall work with their CAC representatives to support the provision of inclusive practices, equity and access for all students with a mild to severe disability.

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

Reference Number:

Document Title:

Document Location: https://www.yubacoe.org/selpa"/>

Description:

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provided for students with disabilities as specified in their IEPs. Additionally, they will coordinate the provision of transportation for students who require transportation outside of their district of residence.

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

Reference Number:

Document Title:

Document Location: https://www.yubacoe.org/selpa"/>

Description:

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15. Assurance of full educational opportunity:

Reference Number:

Document Title:

Document Location: https://www.yubacoe.org/selpa"/>

Description:

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.

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Reference Number:

Document Title:

Document Location: https://www.yubacoe.org/selpa"/>

Description:

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

Reference Number:

Document Title:

Document Location: https://www.yubacoe.org/selpa"/>

Direct instructional support provided by Program Specialist:
The Program Specialist may do the following:

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- Observe, consult with, and assist resource specialists, designated instruction and services instructors, and special class teachers.
- Plan programs, coordinate curricular resources, and evaluate effectiveness of programs for individuals with exceptional needs.
- Participate in each school’s staff development, program development, and innovation of special methods and approaches.
- Provide coordination, consultation and program development primarily in one specialized area or areas of his or her expertise.
- Be responsible for assuring that pupils have full educational opportunity regardless of the district of residence.
- Provide services as directed by the Superintendents’/Operations Council
- Provide staff development for staff, parents/guardians, members of CAC, volunteers, and governing boards as appropriate and will be coordinated with other staff development programs in the SELPA.
- Conduct ongoing comprehensive evaluations of special education programs as per the evaluation plan and requirements of the California Department of Education-Special Education Division (E.C. 56600, et seq.)
- Conduct ongoing review of special education programs and procedures in the SELPA, and mechanisms for correcting any identified problems. Review and procedures will be in accordance with any state level procedures, but may include local interventions starting at the most direct level of intervention, e.g., district support to the classroom teacher who needs it, or training and instruction in the identified problem area.

Role of the RLA/AU:

The role of the RLA/AU related to direct instructional program support that may be provided by program specialists is the same as the role of each LEA.

Role of the SELPA Director:

The SELPA Director:

- Recommends employment of, assign, supervise and evaluate SELPA staff employed by the RLA.
- Supports the development of regionalized programs by providing access to a program specialist.
- Meets with the Superintendents' Governance Council to keep them informed of the status of the special education programs as needed.
- Coordinates with member LEAs that operate regionalized programs and facilitate conversations regarding the status of special education programs and services within the SELPA for the Superintendents'

Description:

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Governance Council in the spring and prior to the start of the next school year.

- Coordinates and provides staff development and training for general and special education administrators and staff.
- Develops and disseminates forms, policies, and procedures throughout the SELPA.
- Assists in preparation, implementation, and follow-up of state reviews, including those that are part of the Focused Monitoring and the Quality Assurance Process.

Role of the individual LEAs:
Member LEAs are responsible for:

- Planning, directing, coordinating, and evaluating instructional programs.
- Identifying needs and developing short and long-range plans for staff development, curriculum development, and program effectiveness.
- Providing staff development and training for general and special education administrators and staff.
- Developing and disseminating forms, policies, and procedures consistent with LEA policies.
- Representing the LEA on SELPA committees as directed.
- Assuring appropriate coordination of general and special education instructional resources for students.
- Providing support to the LEA in the area of positive behavior intervention.
- Assisting in the preparation, implementation, and follow-up of reviews by the state including those that are part of the Focused Monitoring and the Quality Assurance Process.

Special Education Local Plan Area Services

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

Reference Number:

Document Title:

Document Location: https://www.yubacoe.org/selpa"/>

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Description:

for the provision of a bi-county Part C: Early Intervention Services program for infants (ages 0-3) with a disability as well as for those who have an identified low incidence disability. Alta California Regional Center service coordinators work with both Individual Family Service Plan (IFSP) team to coordinate services in the bi-county 0-3 early start infant program.

The Yuba County SELPA provides program specialist services to member LEAs. He/she supports the process of identification, assessment and transition of students with an individual family services plan (IFSP) Part C services to an individual education plan (IEP) Part B services prior to age three.

When an individual with exceptional needs is between the ages of 24 to 30 months, parent/guardian notification is given from either the Alta California Regional Center and/or the early start coordinator in Sutter County SELPA that a transition conference will take place no later than 90 days prior to the child's third birthday. The Early Start Coordinator from Sutter County SELPA works with the Alta California Regional Center, the Yuba County SELPA program specialist and/or member LEAs to facilitate the assessment, identification and transition from IDEA Part C to Part B ensuring the provision of a written transition plan moving forward into Part B preschool programs and services.

The Yuba County SELPA regional preschool program providers and/or member LEAs work collaboratively with parents/guardians to ensure a smooth transition for individuals with exceptional needs from preschool into Kindergarten. Special education services are provided in a manner to ensure equity and access to grade level content as well as a free and appropriate education (FAPE) in the least restrictive environment (LRE).

2. A description of the method by which members of the public, including parents or guardians of individuals with exceptional needs who are receiving services under the local plan, may address questions or concerns to the SELPA governing body or individual administrator:

Reference Number:

Document Title:

Document Location: https://www.yubacoe.org/selpa"/>

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Description:

questions and concerns of the public, including parents or guardians of individuals with exceptional needs who are receiving services under the Local Plan. Questions and concerns may be addressed at any regularly scheduled Superintendents' Governance Council public meeting during the time set aside for items of public interest.

The SELPA Director, as a non-voting member of the Superintendents' Governance Council, will ensure that meetings are held following the provisions of the Brown Act. Public hearings, with adequate and proper notice are held regularly, a minimum of four times per year. Revisions to the Local Plan, the Annual Budget and the Annual Service Plan are presented for comment during Public Hearings.

Member LEAs offer additional opportunities for public participation and input regarding special education at their local LEA governing board level.

3. A description of a dispute resolution process, including mediation and final and binding arbitration to resolve disputes over the distribution of funding, the responsibility for service provision, and the other governance activities specified within the local plan:

Reference Number:

Document Title:

Document Location: https://www.yubacoe.org/selpa"/>

In the event of a disagreement among local education agencies, local education agencies and the Responsible Local Agency (RLA), local education agencies 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 Superintendents' Governance Council that issues be resolved at the lowest level possible. The SELPA Superintendents' Governance Council is the approval board of last resort. This policy 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

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Description:

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 Superintendents' Governance Council. If this process fails, the parties may pursue a hearing on the issues and resolution with SELPA Superintendents' Governance Council.

If either party disagrees with the recommendation of the SELPA Superintendents' Governance Council, 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 parties will submit the dispute to the RLA Superintendent for selection of a mediator and/or a decision regarding disputed matters.

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 appointed by each party and a neutral chair of the panel selected by the other two panel members. If the parties agree, the mediator involved in the parties' mediation may be asked to 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 outside the scope of Education Code section 56205(b)(5).

If resolution is not reached, then default for decision-making falls back to the SELPA Superintendents' Governance Council for a vote. If resolution is still not reached, then default for decision-making falls to the RLA superintendent for a final decision.

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 outside the scope of Education Code section 56205(b)(5).

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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:

https://www.yubacoe.org/selpa"/>

For those students who may need additional academic and behavioral supports to succeed in a general education environment, schools may choose to implement a multi-tiered system of supports (MTSS) for all students, such as response to instruction/intervention (RtI2), positive behavioral interventions and supports (PBIS), trauma-informed practices (TIPS), and restorative practices.

MTSS is a school-wide approach that addresses the needs of all students, including struggling learners and students with disabilities, and integrates assessment and intervention within a multi-level instructional, behavioral, and social-emotional system to maximize student achievement and reduce problem behaviors and issues related to mental health.

MTSS, which includes scientific, research-based interventions, also may be used to identify children suspected of having a specific learning disability.

With a multi-tiered instructional framework, schools identify students at risk for poor learning outcomes; monitor their progress; provide evidence-based interventions; and adjust the intensity and nature of those interventions depending on a student's responsiveness.

Children who do not, or minimally, respond to interventions must be referred for an evaluation to determine if they are eligible for special education and related services; and those children who simply need intense short-term interventions may continue to receive those interventions.

Following the implementation of MTSS instructional framework and concerns still remain within the local school student study team (SST),

Description:

staff will contact parents/guardians whenever there is a concern about their child’s educational progress. All options in the regular program must be exhausted prior to a referral to special education per federal and state education laws. These options may include, but are not limited to, the following:

- Referral to alternative programs within the school/district.
- Modifications of the classroom program, including alternative instructional methods and materials.
- Modification of the school program, including adjustment of school day.
- Referral to professional and/or agency outside of the school.
- Consultation with appropriate staff.

Written documentation must be included in the referral that appropriate alternatives and/or modifications have been considered.

All options are to be explored by the regular education staff prior to referral through the student study team (SST) process. The procedure to be followed when a student is first seen as having difficulty will be the responsibility of the regular school staff.

When all of the regular education options have been attempted but have not met with success, the student may be referred for special education consideration.

The procedures for student referrals may be submitted by the following persons:

- Student Study Team comprised of teachers, specialists, etc.
- Parents
- Other service providers or knowledgeable persons

A student shall be referred for special education services only after the resources of the regular education program have been explored and, where appropriate, utilized. All referrals should be submitted to the student’s school of attendance. If the referred student is not attending a public school, or is not yet of school age, the referral should be made to the student’s school of residence or the Yuba County Office of Education.

All referrals for special education and related services shall initiate the assessment process and shall be documented. When a verbal referral is made, staff of the school district, Special Education Local Plan Area

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(SELPA) or county office shall offer assistance to the individual in making a request in writing and shall assist the individual if the individual requests such assistance.

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: https://www.yubacoe.org/selpa"/>

Description:

On an annual basis, the Yuba County SELPA will issue and review of the SELPA Master Contract for special education services provided by both non-public agency (NPAs) and non-public school (NPS) entities with member LEAs. The SELPA negotiates rates with participating NPA and NPS entities to monitor costs associated with the delivery of services. The SELPA will maintain updated NPS and NPA master contracts at the SELPA office. LEAs shall complete the Individual Student Agreements (ISAs) based on individual student needs and in accordance with master contract agreement. LEAs will maintain copies of the Master Contracts and ISAs at the LEA central office.

The Superintendent's Governance Council maintains the option to have the SELPA and/or LEA issue Master Contracts to NPA and NPS entities based upon the Operations Council's discretion.

LEAs are responsible for monitoring the delivery of special education services to students who placed in non-public schools or receiving services from a non-public agency. The SELPA Director and member LEAs will monitor staffing qualifications and staffing levels required set forth in the SELPA Master Contract with non-public schools and agencies. The SELPA and LEA are mutually responsible to ensure student safety. LEAs are to insure staff members employed by the NPS or NPA are trained in behavior supports and strategies within 30 days of employment. Member LEAs are responsible for administering additional assessments as necessary and with parent/guardian consent to determine whether the pupil is making appropriate educational progress. LEA members shall request IFSP and IEP meetings at any

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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:

Document Title:

Document Location: https://www.yubacoe.org/selpa"/>

Free Appropriate Public Education (“FAPE”)

Every individual with exceptional needs who is eligible to receive special education instruction and related services under the Individuals with Disabilities Act (“IDEA”) and state special education laws, shall receive that instruction and those services at no cost to his or her parents or, as appropriate, to him or her. A FAPE shall be available to individuals with exceptional needs in accordance with 20 U.S.C. §1412(a)(1) and 34 C.F.R. §300.101.

Eligible Adults

Adults who are aged 18-22 years, have not graduated with a high school diploma, who, at the time they have turned 18 were identified as an individual with exceptional needs and had an individualized education program (“IEP”) under the IDEA, are also entitled to a FAPE (hereinafter (“eligible adults”).) (See 20 U.S.C. §1400(d)(1)(A), (B), (C); 20 U.S.C. § 1412(a)(1)(A); California Ed. Code §56000, 56026(c)(4).)

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This applies to adults imprisoned in California adult jails and prisons. However, an individual aged 18 through 21 years, who, in the educational placement prior to his or her imprisonment in an adult correctional facility was not identified as an individual with an exceptional need or did not have an IEP under the IDEA, is not entitled to a FAPE. (20 U.S.C. §1412(a)(1)(B); California Ed. Code, §56040(b).)

District of Residence Responsibilities

For eligible adults who prior to reaching the age of majority resided within the Yuba County Special Education Local Plan Area (“SELPA”) geographic boundaries, the applicable local educational agency within the SELPA shall ensure they have available to them a FAPE. If the parent relocates to a new district of residence, the new district of residence shall become the responsible local educational agency (“LEA”). If the student is conserved, the district of residence of the conservator shall attach and remain the responsible local educational agency, as long as and until the conservator relocates or a new one is appointed. At that time, the new district of residence shall attach and become the responsible local educational agency. (Added by Stats. 1992, c. 1360 (A.B. 2773), §8.)

Child Find

The Individuals with Disabilities Education Act (IDEA) requires that students who are in need of special education be identified. This “child find” responsibility extends to nontraditional settings or students such as highly mobile students. In California, local educational agencies (LEAs) must “actively and systematically” seek out all individuals with exceptional needs.

Description:

The SELPA local plan ensures their LEAs are in compliance with all state and federal laws, including child find. This responsibility includes identifying adult students in a county jail within the SELPA who remain eligible for special education services, through means such as self-reporting, interviewing, and requesting prior school records. In certain cases, the SELPA in which the county jail is located may identify an eligible adult student whose responsible LEA is located outside the SELPA. In such cases, it is recommended that the SELPA work with the sheriff and the responsible SELPA/LEA to assist the eligible adult student in contacting the responsible SELPA/LEA. This may include contacting the responsible SELPA/LEA on the eligible adult student’s behalf, and/or providing contact information for the responsible SELPA/LEA to the sheriff, and/or providing contact information for the

SELPA Fiscal Year

responsible SELPA/LEA to the eligible adult student.

Individualized Education Program

Once the LEA is informed that one of its residents is an eligible adult imprisoned at an adult correctional facility, it will revise the individual's IEP as necessary, including conducting an annual review, as needed, subject to the cooperation of the correctional facility where the student is located. The LEA will determine whether the qualified individual is provided a FAPE pursuant to IDEA and corresponding California Education Code. To receive special education services while imprisoned, a qualified individual must consent to the receipt of such services and enroll in the adult education program at the adult correctional facility.

Limitations

The following special education exemptions apply to eligible individuals who are convicted as adults under State law and imprisoned in adult prisons:

1. The requirements set out in 20 U.S.C. § 1412(a)(16) and 20 U.S.C. §1414(d)(1)(A)9i)(VI) (relating to participation in general assessments) do not apply. Eligible individuals convicted as adults under State law and imprisoned in adult prisons are exempted from participation in State and district-wide assessment programs under the IDEA.
2. The requirements of items (aa) and (bb) of 20 U.S.C. §1414(d)(1)(A) (i)(VIII) (relating to transition planning and transitional services), do not apply with respect to such individuals whose eligibility under the IDEA will end, because of their age, before such individuals will be released from prison.
3. If an individual with a disability is convicted as an adult under state law and imprisoned in an adult prison, the individual's IEP Team may modify the individual's IEP or placement notwithstanding the least restrictive environment ("LRE") requirements of 20 U.S.C. § 1414(d)(1) (A) and the IEP contents requirements of 20 U.S.C. § 1414(d)(1)(A) if there is a bona fide security or compelling penological interest that cannot otherwise be accommodated.