

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:

Mendocino County SELPA serves approximately 1,700 of the 12,000 students in Mendocino County's public schools. The Mendocino County Office of Education is the AU for Mendocino County SELPA. Mendocino County SELPA offers programs and services for individuals with disabilities from birth through 22 years of age and is comprised of the following 12 LEAs:

Anderson Valley Unified

Arena Elementary / Point Arena Joint Union High School

Fort Bragg Unified

Laytonville Unified

Leggett Valley Unified

Manchester Union Elementary

Mendocino Unified

Mendocino County Office of Education

Potter Valley Unified

Round Valley Unified

Ukiah Unified

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

The Mendocino County Special Education Local Plan Area (SELPA) is comprised of the 12 school districts within the geographic area of Mendocino County and the Mendocino County Superintendent of Schools' Office. Together these education agencies have joined in a cooperative plan to provide special education and services for individuals with disabilities, birth to 22, who are enrolled in local education agencies (LEA's) in Mendocino County. The Superintendent's Office is designated as the Responsible Local Agency (RLA). The SELPA Executive Director, under the direction of the Superintendents' Special Education Policy Council, provides administrative support and coordination of the implementation of the Local Plan.

The primary governance of the Mendocino County SELPA is the responsibility of the Superintendents' Special Education Policy Council. The Policy Council is composed of the superintendent of each participating education agency and, the representative of the Community Advisory Committee with the SELPA Executive Director as a nonvoting member. The SELPA Executive Director serves as secretary to the Policy Council, preparing the agendas and support documents, as appropriate, for each meeting. The Policy Council acts to develop fiscal and operational policies and agreements on matters regarding implementation, administration and coordination of special education programs in accordance with state and federal requirements. *E.C. 56205(a)(12)(D)(ii)(IV)*

The specific functions of the Policy Council necessary to carry out its responsibility include:

1. Developing policies and agreements and approving procedures for effective management and operation of special education programs and services throughout the SELPA;
2. Developing policies and agreements and approving procedures which assure individuals with disabilities equal access to special education programs and services, core curriculum and full educational opportunity and procedural safeguards for such individuals and their parents;
3. Recommending to the governing boards the designation of the Responsible Local Agency;
4. Developing special education budget guidelines, adopting the annual special education budget and directing the allocation and utilization of fiscal resources;

E.C. 56205(a)(12)(D)(iii)(V)

5. Approving the annual budget and staffing for regionalized services, including the Community Advisory Committee;
6. Reviewing independent audit reviews of all SELPA funds, developing corrective action plans and reviewing progress reports on all audit exceptions and

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recommendations;

E.C. 56205(a)(12)(D)(ii)(IV)

7. Participating with the County Superintendent in the hiring of the SELPA Executive Director;
8. Recommending and directing the activities of the SELPA Executive Director regarding the implementation, administration and operation of special education programs and services;
9. Participating with the SELPA Executive Director in the selection and direction of SELPA staff;
10. Establishing committees as necessary to carry out the functions of the Policy Council;
11. Reviewing special education issues and making recommendations when needed to governing boards;
12. Receiving and considering recommendations from:
 - a) Governing boards,
 - b) The Community Advisory Committee,
 - c) The Policy Council Steering Committee,
 - d) Other committees, task forces and advisory groups established by the Policy Council or the SELPA Executive Director,
 - e) Community agencies,
 - f) The SELPA Executive Director and Regional Office staff, and
 - g) Other individuals concerned with special education in Mendocino County;
13. Promoting cooperation and communication among the districts, the County Superintendent's Office and community agencies; and
14. Annually reviewing the Local Plan.

The Policy Council conducts regular public meetings and is governed by agreed upon bylaws.
E.C. 56205(a)(12)(A)

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:

In adopting the Local Plan, each participating local education agency (LEA) agrees to carry out the duties and responsibilities assigned to it within the plan. Each LEA shall provide special education and services to all eligible students within its boundaries, including students enrolled

in charter schools where an LEA of the SELPA has granted that charter. In addition, each LEA shall cooperate to the maximum extent possible to serve individuals with disabilities who cannot be served in programs in the LEA of the residence. Such cooperation ensures that a range of program options is available through Mendocino County.

E.C. 56205(a)(12)(ii)(III)

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 Mendocino SELPA or from the Special Education Community Advisory Committee in its capacity. Policy considerations are to be dealt with according to the following procedure:

1. All suggestions and/or requests for policy development or change are to be directed to the Superintendents' Policy Council, passing through any intermediate review steps, as dictated by the governance structure.
2. The Superintendents' Policy Council will consider all such requests.
3. If the Council determines such a policy is desirable or needed, the council will have a draft of such policy written.
4. Each Superintendent will make drafts of proposed policies available to LEA governing boards for review and/or further input.
5. Following review by the governing boards of LEAs, the Superintendents' Policy Council will take action to approve or reject the proposed policy in accordance with voting procedures established by the Council.

E.C. 56025(a)(12)(D)(i)

A. Public Participation

The Local Plan shall be developed and updated cooperatively by a committee representing the regular special education teachers and administrators, parents from the CAC and charter schools. Meetings will be planned in a manner that allows members to consult routinely with the groups they represent and provide input on the development of and revisions to the Local Plan.

E.C. 56205(a)(20)

E.C. 56205(a)(12)(E)

The ongoing exchange of information with the public, regular and special education teachers and administrators, the CAC and charter school personnel occurs through regularly scheduled meetings of the Superintendents' Policy Council, Steering Committee and CAC and the Local Plan Committee. Meetings of the Policy Council, Steering Committee and CAC

are public meetings and a chance for public input is provided on all agendas. The first item on the agenda for all meetings of the Policy Council is “Public Participation and Communication”. Following the second agenda item, “Approval of Agenda”, is the “Report of the Community Advisory Committee (CAC)”. All meetings of the Steering Committee begin with Public Participation and Communication and the agenda always includes a report from the CAC. All CAC meetings begin with introductions, time for public input and reports from all district representatives. In each of the above meetings, members of the public, including parents or guardians of individuals with exceptional needs, are encouraged to participate in the public input and CAC portion of the agendas. Each of these committees is provided information and consultation on the budget development process.

E.C. 56205(b)(4)

B. Permanent and Interim Amendments to the Local Plan

Changes or amendments to the permanent portion of the Local Plan may be considered during the annual service and budget plan process. The Mendocino SELPA may adopt amendments to the permanent portion of the Local Plan on an “interim” basis, not to exceed one year. Amendments approved according to the adopted policy setting process become permanent upon approval by all LEA governing boards and the State Board of Education. This policy is then included in the governance section of the Local Plan.

I. The Policy Council Steering Committee

The Superintendents' Special Education Policy Council has one standing committee - the Steering Committee. The role of the Steering Committee is to serve as an advisory body to the SELPA Executive Director and Policy Council. The functions of the Steering Committee include:

1. Recommending the development or revision of policies and procedures for the effective operation and coordination of special education programs and services throughout the SELPA;
2. Developing implementation strategies for the provision and coordination of special education programs and services in accordance with state and federal regulations and SELPA policies;
3. Considering and seeking solutions to problems encountered in meeting state and federal requirements and in carrying out SELPA policies;
4. Advising the SELPA Executive Director and Policy Council of the status, accomplishments and needs of the special education programs maintained by the participating LEA's; and
5. Providing input and feedback regarding the SELPA Personnel Development

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Program.

The Steering Committee is appointed by the Policy Council and is composed of the special education director, or other designee, or each participating education agency and a representative of the Community Advisory Committee. The SELPA Executive Director serves as chairperson of the Steering Committee and is responsible for preparing agendas, scheduling and conducting meetings and preparing support documents, as appropriate, for each meeting. Steering Committee meetings are open to the public.

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:

As superintendent of a participating LEA, the County Superintendent is responsible for assuring the provision of appropriate special education programs and services for individuals with disabilities for who the County Superintendent's Office is responsible in accordance with the policies, agreements and procedures described in the Local Plan. The specific functions of the County Superintendent necessary for carrying out that responsibility include:

1. Representing the LEA as a member of the Superintendents' Special Education Policy Council and carrying out the functions of the Policy Council as described in the Local Plan;
2. Providing leadership within the County Superintendent's Office in support of special education programs and services;
3. Collecting information on the County Superintendent's Office special education program operation and reporting such information to the SELPA Executive Director;
4. Supporting and cooperating in SELPA regional activities, such as:
 - a) Personnel development,
 - b) Coordination of curriculum,
 - c) State and federal reporting,
 - d) Program evaluation, and
 - e) Student management information systems;
5. Providing administrative support for all special education programs and services in

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the LEA without regard to employing agency;

6. Designating a director of special education for programs operated by County Superintendent's Office;
7. Consulting with the SELPA Executive Director before taking action which may lead to violation of due process, a complaint or a major programmatic change affecting the SELPA; and
8. Implementing and monitoring actions directed by administrative hearing officers or compliance officers.

E.C. 56205(a)(12)(D)(i)

E.C. 56205(a)(12)(D)(ii)(III)

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

A.

This policy applies to all charter schools that are chartered by any of the Mendocino County SELPA member districts or the Mendocino county Office of Education (MCOE) or are granted a charter on appeal by the Mendocino County Board of Education or the State Board of Education in which oversight responsibilities have been assigned to a district within the SELPA. This policy does not extend to a charter school that was chartered by, or assigned to, an entity that is not a member of the SELPA.

The purpose of this policy is to clarify the relationship between charter schools, member school agencies and the SELPA. This policy has the further purpose of assisting applicable charter schools and chartering districts that are members of this 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.

Pursuant to legal provisions of both federal and state law, eligible students enrolled in charter schools are entitled to special education services provided in the same manner as such services are provided in other public schools and charter schools within the SELPA. All parties shall comply with all applicable requirements of state and federal law regarding provision of special education services (Education Code 5600 et seq., Individuals with Disabilities Education Act 20 U.S.C. Chapter 33). It is understood that 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 following: 1) whether the charter school is approved as an LEA or is deemed to be a public school within the LEA that granted the charter, and 2) the agreement (MOU) between the charter school and sponsoring LEA.

Charter schools and sponsoring districts must delineate in the charter or in a memorandum of understanding (MOU) the entity responsible for providing special education instruction and services. These documents should clarify the roles and responsibilities of each party with regard to IEP meetings, authorization of services, implementation of due process rights and legal representation. These documents must also reference any anticipated transfer of special education funds between the granting entity and the charter school, if any, and any provisions for sharing costs, deficits and/or proration factors in funding.

The charter school recognizes the responsibility to deliver services to any eligible child enrolled in the charter school and shall not seek assistance, reimbursement, or any other type of responsibility from the school district where the child actually resides unless otherwise provided by law.

The charter school also acknowledge that, in the absence of SELPA approval of the charter school as an LEA for special education purposes, the charter school will be deemed a public school within the chartering entity¹.

B. SELPA Involvement with Approval and Renewal of Charters

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. Specifically, the charter MOU must provide assurances that all eligible students enrolled in the charter school will receive appropriate special education services in accordance with federal law and the SELPA Local Plan for Special Education (Local Plan).

Enrollment - The charter shall provide that no student otherwise eligible to enroll in the charter school will be denied nor discouraged from enrollment due to a disability or due to the charter school's concerns about its ability to provide appropriate services². The charter school shall fully inform parents of students with disabilities seeking enrollment in the school of their rights, educational options available, and the category of charter school to which it belongs. A 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.

Within the requirements of Education Code Section 47605 (5)(A) the charter must contain a reasonably comprehensive description of the charter school's educational program, as it relates to the provision of special education services, including the following:

- Assurances that the charter school will comply with all provisions of federal law and implementing regulations related to the rights of disabled students and their parents (20 U.S. C. Chapter 33, the Individuals with Disabilities Education Act);
- Assurances that the charter school will adhere to the policies, procedures and requirements of the SELPA Local Plan for Special Education;
- A description of the means by which the charter school intends to serve students with disabilities. This will include a specific reference as to whether the charter school intends to be deemed an LEA or public school within the LEA that granted the charter for the provision of special education services;
- 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 program³;
- Assurances that the charter school will follow all federal laws regarding discipline and change of placement of special education students; and
- Dispute resolution procedures that will apply to any disputes between educational entities, including the SELPA, regarding the provision of special education services in the charter school.

It is recognized that specific detail about procedures and delivery systems may be set forth in a MOU between the charter school and the chartering entity rather than the charter itself. However, the SELPA encourages the parties to confirm the details prior to approval or extension of the charter.

¹ The charter school is deemed a public school when first granted a charter and cannot be deemed an LEA in this SELPA until the charter school has complied with all procedures outlined in this policy.

² Petitioner must confirm in writing that they will not discriminate due to disability.

³ Affirms charter school responsibilities under Section 504 of the Rehabilitation Act of 1973 (34 CFR 104) hereinafter "504"

C. Categories of Charter Schools

For the purposes of provision of special education services only, charter schools shall be deemed either a public school within the chartering district or separate LEA that receives special education funds and provides services independent of the chartering entity. It is understood that this status is separate and apart from the actual legal status of the charter school as provided in Education Code section §47604. 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. The categorization as a separate LEA will become effective on the first day of the fiscal year (July 1), following final approval by the SELPA Policy Council.

1. Public School Within a School District or MCOE

As set forth in the Education Code, 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 SELPA policies and federal law. The chartering entity and the charter school petitioner must clarify by way of the charter or a Memorandum of Understanding the responsibilities of each party for the actual delivery of special education services including referral, assessment and funding. The chartering entity and the charter school 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 enrolled in other schools or programs administered by the chartering entity.

The chartering entity will:

- Receive all applicable special education funds as specified in the SELPA's Special Education Funding Allocation Plan.

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- Represent the needs of the charter school in the SELPA governance structure.

The Charter or Memorandum of Understanding will clarify the following:

- Procedures and designation of responsibilities for ensuring that all eligible students enrolled in the charter school are appropriately referred, assessed and served in a timely manner;
- Procedures and responsibilities for procuring and funding appropriate special education services for enrolled students; and
- Procedures and responsibilities for procuring necessary special education services or contracts for services with public or private educational agencies.
- Responsibility for costs of services, which exceed funding.
- Responsibility, if any, for excess costs of chartering entity.
- Responsibility for costs related to legal fees and due process proceedings.
- Designation of administrative costs related to the above.

It is also recommended that a Memorandum of Understanding or Business Services Agreement address the following items:

If the district will assume responsibility for the direct provision of special education services for students with disabilities attending the charter school,

- A description of what services will be provided, who will provide the services, and how and where the services will be provided.
- An assurance that a student with disabilities attending the charter school will have access to special education services in the same manner as a student with a disability who attends another public school of that district.
- An assurance that the charter school and its employees will work under the direction of the district with regard to the delivery of services.

If the charter school will assume direct responsibility for the provision or procurement of special education services for students with disabilities attending the charter school, the MOU shall include a description of the distribution of the charter school's equitable share of state and federal special education funding based on the SELPA's Special Education Funding Allocation Plan and a description of what assistance, if any, shall be provided by the District.

An agreement which clarifies what responsibility either party has to defend, indemnify, and hold harmless the other party and its employees against any liability arising from the acts or omissions of the charter school and/or districts, its agents or employees while performing services under the MOU and charter.

2. Charter School as an LEA Within the SELPA

A charter school that was chartered by or assigned to a SELPA member may apply to the SELPA Policy Council to become an LEA for the provision of special education services. Application must be made to the SELPA on or before February 1st of the school year preceding the school year in which the charter school anticipates operating as an LEA within the SELPA. LEA status will not become effective prior to July 1st of the year in which final approval was granted. The charter school must follow the application process adopted by the Policy Council. Once granted LEA status, a charter school will participate in the governance of the SELPA in the same manner as all other LEAs in the SELPA.

The applicant charter school will be deemed an LEA if the SELPA Policy Council 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 that the LEA shall:

- Provide assurances that all eligible individuals with disabilities (ages birth to 22) shall have access to appropriate special education programs and services;
- Provide assurances of its knowledge and understanding of applicable special education laws;
- Provide assurances that each certificated employee is appropriately credentialed to serve in his/her assignment;
- Provide necessary staff as required to meet federal mandates;
- Follow all requirements of the SELPA Local Plan;
- Utilize SELPA approved forms (and SEIS pupil count system?);
- Provide transportation as indicated on the student's IEP; and
- Provide assurances that the charter school understands its sole legal and

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financial responsibility to provide appropriate services to eligible students and that the charter school shall not seek defense or indemnification from the SELPA or SELPA members unless liability is the result of acts or omissions of other agencies, their agents or employees, while performing services under an agreement.

Once deemed an LEA, the charter school shall:

- Participate in governance of the SELPA in the same manner as all other LEAs in the SELPA.
- Contribute to, participate in, and receive the benefits of reimbursement from all SELPA fiscal pools and participate in any charge-backs, if any, in the same manner as other members.
- Receive state and federal funding for special education in accordance with the SELPA Special Education Funding Allocation Plan.
- Be responsible for all costs incurred in the provision of special education services to students enrolled in the charter school. These costs may include, but are not limited to, instruction, related services, transportation, nonpublic school/ agency placements, inter/intra SELPA placements, due process proceedings, complaints and attorney fees; and
- 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.

If any new school district or charter school applies as an independent member of the SELPA and its percentage of special education students to total population is significantly lower than any of the SELPA-member LEAs, then the SELPA and Charter School shall enter into an MOU, approved by the Policy Council, outlining the funding as a condition of becoming an LEA in the SELPA.

LEA status may be initially granted for a period of up to five years congruent with the terms of the district and charter school agreement and may be granted one or more renewals by the Policy Council. Each renewal shall be for a period of five years.

LEA status may be revoked by the Policy Council if it finds that the charter school did any of the following:

- Committed a material violation of any of the conditions, standards, or procedures set forth in this policy or the Local Plan.

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- Failed to meet generally accepted accounting principles, or engaged in fiscal mismanagement of special education funds.
- Violated any provision of law applicable to the charter school relating to special education.

The Policy Council shall examine the pattern of conduct by the charter school in implementing special education laws. The decision to revoke may be based on the ability of the charter school to cure and correct violations and/or the charter school's ability to ensure ongoing, consistent compliance with all applicable special education laws.

Prior to revocation, the Policy Council shall notify the charter school of any violation of this policy and give the charter school a reasonable opportunity to correct the violation, unless the Superintendents' Policy Council determines, in writing, that the violation constitutes a severe and imminent threat to the health or safety of the pupils.

3. Charter School Affiliated With an LEA Outside of the SELPA

When a charter school has no affiliation with an LEA within the SELPA, neither the SELPA nor the local district within which the charter school is located has an obligation to reach agreement on the provision of special education services. If the charter school is granted status by an entity outside of the SELPA, the charter school is responsible for working with its sponsoring district and related SELPA in order to meet all special education obligations as provided in the SELPA policy. The provisions for programs and services by the Mendocino County SELPA, or members, if any, shall be determined in advance through written inter-SELPA agreements.

Any charter school in the State that is deemed to be an LEA may apply to join the Mendocino SELPA as a member LEA pursuant to the requirements of the SELPA policy.

6. Identify and describe the representation and participation of the SELPA community advisory committee (CAC) pursuant to EC Section 56190 in the development of the local plan:

The Local Plan shall be developed and updated cooperatively by a committee representing the regular special education teachers and administrators, parents from the CAC and charter schools. Meetings will be planned in a manner that allows members to consult routinely with the groups they represent and provide input on the development of and revisions to the Local

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Plan.

E.C. 56205(a)(20)

E.C. 56205(a)(12)(E)

The ongoing exchange of information with the public, regular and special education teachers and administrators, the CAC and charter school personnel occurs through regularly scheduled meetings of the Superintendents' Policy Council, Steering Committee and CAC and the Local Plan Committee. Meetings of the Policy Council, Steering Committee and CAC are public meetings and a chance for public input is provided on all agendas. The first item on the agenda for all meetings of the Policy Council is "Public Participation and Communication". Following the second agenda item, "Approval of Agenda", is the "Report of the Community Advisory Committee (CAC)". All meetings of the Steering Committee begin with Public Participation and Communication and the agenda always includes a report from the CAC. All CAC meetings begin with introductions, time for public input and reports from all district representatives. In each of the above meetings, members of the public, including parents or guardians of individuals with exceptional needs, are encouraged to participate in the public input and CAC portion of the agendas. Each of these committees is provided information and consultation on the budget development process.

E.C. 56205(b)(4)

The Community Advisory Committee (CAC) consists of members appointed by the LEA Governing Boards, the County Superintendent of Schools and the Policy Council. The CAC was established in Mendocino County and has operated in its current role for more than 20 years. The appointments from each LEA may include parents of students enrolled in general education, parents of students disabilities enrolled in public or private schools, pupils or adults with disabilities, district personnel, including teachers, representatives of other public agencies, or other persons concerned with the needs of children with disabilities. Relevant public agencies will be invited to send a representative to participate in CAC activities, including meetings.

Members appointed to represent LEA are to be appointed by the governing board of the LEA. Members at-large are appointed by the Policy Council. All parent members of the CAC must have a child enrolled in a private or public school when that schools is part of the LEA located within the geographic area of the Mendocino County Special Education Local Plan Area.

E.C. 56205(a)(12)(C)

E.C. 56191; 56192; 56193; 56194(a)(f)

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7. Describe the SELPA's process for regular consultations regarding the plan development with representative of special education and regular education teachers, and administrators selected by the groups they represent and parent members of the CAC:

The Local Plan shall be developed and updated cooperatively by a committee representing the regular special education teachers and administrators, parents from the CAC and charter schools. Meetings will be planned in a manner that allows members to consult routinely with the groups they represent and provide input on the development of and revisions to the Local Plan.

E.C. 56205(a)(20)

E.C. 56205(a)(12)(E)

The ongoing exchange of information with the public, regular and special education teachers and administrators, the CAC and charter school personnel occurs through regularly scheduled meetings of the Superintendents' Policy Council, Steering Committee and CAC and the Local Plan Committee. Meetings of the Policy Council, Steering Committee and CAC are public meetings and a chance for public input is provided on all agendas. The first item on the agenda for all meetings of the Policy Council is "Public Participation and Communication". Following the second agenda item, "Approval of Agenda", is the "Report of the Community Advisory Committee (CAC)". All meetings of the Steering Committee begin with Public Participation and Communication and the agenda always includes a report from the CAC. All CAC meetings begin with introductions, time for public input and reports from all district representatives. In each of the above meetings, members of the public, including parents or guardians of individuals with exceptional needs, are encouraged to participate in the public input and CAC portion of the agendas. Each of these committees is provided information and consultation on the budget development process.

E.C. 56205(b)(4)

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:

As superintendent of the Responsible Local Agency (RLA), the county Superintendent, as an elected official, is responsible for performing the following functions;

1. Delegating administrative support and coordination of the implementation of the Local Plan to the SELPA Executive Director;

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2. Serving as employing agency for the SELPA Executive Director and the SELPA Regional Office staff based on the actions of the Policy Council;
3. Establishing and monitoring the SELPA regional office as a program within the structure of the County Superintendent's Office;
4. Ensuring that all SELPA operational policies and procedures* approved by the Policy Council are implemented;
5. Receiving, disbursing and expending funds for special education programs and services in accordance with the directives of the Policy Council;
6. Establishing appropriate fiscal record-keeping procedures in accordance with state and federal requirements, maintaining accurate fiscal accounting records and submitting required fiscal reports to appropriate authorities;

E.C. 56205(a)(12)(D)(ii)(V)

7. Maintaining accountability for the special education expenditures of each LEA in accordance with state and federal requirements and SELPA policies;

E.C. 56205(a)(12)(D)(ii)(IV)

8. Withholding or reducing funds if funding is reduced by state and federal government or action of the Policy Council or if SELPA policies are not adhered to; and
9. Coordinating with participating LEA's in the certification of fiscal, attendance, transportation and pupil count records.

*Operational policies and procedures are policies and procedures necessary for the successful operation of the SELPA. These policies and procedures are adopted by the Policy Council. The County Superintendent has the responsibility for implementing the policies and procedures that include, but are not limited to, the following:

- a) Job descriptions;
- b) Preparing necessary program reports;

E.C. 56205(a)(12)(D)(ii)(V)

- c) Assuring the provision of procedural safeguards throughout the SELPA;
- d) Assisting participating LEA's, upon request, with due process procedures;
- e) Assisting the LEA's to monitor any actions required as a result of a complaint

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or due process hearing; and

f) Participating in the selection and direct supervision of all SELPA staff.

E.C. 56205(a)(12)(A)
E.C. 56205(a)(12)(D)(ii)(I)

See Appendix 2 Special Education Administrative Services Between Mendocino County Office of Education and the Districts within Mendocino County Special Education Local Plan Area

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:

Contractual agreements within our SELPA that ensure each student with special needs receives the services they require include:

1. Memorandum of Understanding Agreement Regarding Mendocino County Office of Education Therapeutic Support Programs and all LEA's within our SELPA
2. Contractual agreement between Mendocino County SELPA and/or LEA's, and Redwood Quality Management and local mental health organizational providers under MediCal contracts for the purpose of providing Specialty Mental Health Services to students with special needs.
3. Master Contract Agreement between Mendocino County SELPA and/or LEA's, and local Non-Public Agency providers for services to students with disabilities.

10. For multi-LEA local plans, specify:

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

The Governing Board of each LEA will have the responsibility to operate those programs which have been assigned through the annual budget plan developed for the Special Education Local Plan Area (SELPA), maintain an awareness of the special education activities of the Local Plan through the LEA Superintendent and participate in the development and implantation of policy decisions as provided for in the Local Plan. Other responsibilities include:

1. Carry out the duties and responsibilities assigned to each LEA;
2. Annually review and approve special education programs and services of LEA:

3. Operate local programs consistent with state and federal law and regulations and policies and procedures approved for the SELPA;
4. Through their designated representative to the Superintendents' Policy Council, participate in the development and adoption of policies related to the governance and operation of the SELPA;
5. Agree, that in participating in the Local Plan, the LEA is adopting those policies and procedures adopted by the Superintendents' Policy Council;
6. Participate in the selection and appointment of LEA representative to the Community Advisory Committee;
7. Provide suitable housing for special education programs maintained by the LEA;
8. Cooperate with the Superintendent of the RLA and the governing boards of other participating LEA's to assure the availability of appropriate services to eligible individuals regardless of district of residence;
9. Approve the Local Plan developed for the Mendocino SELPA prior to final review by the State Department of Education; and
10. Ensure LEA compliance with all elements of the Local Plan.

E.C. 56205(a)(12)(D)(i)

E.C. 56205(a)(12)(D)(ii)(III)

A. 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 Mendocino SELPA or from the Special Education Community Advisory Committee in its capacity. Policy considerations are to be dealt with according to the following procedure:

1. All suggestions and/or requests for policy development or change are to be directed to the Superintendents' Policy Council, passing through any intermediate review steps, as dictated by the governance structure.
2. The Superintendents' Policy Council will consider all such requests.
3. If the Council determines such a policy is desirable or needed, the council will have a draft of such policy written.
4. Each Superintendent will make drafts of proposed policies available to LEA governing boards for review and/or further input.
5. Following review by governing board of LEA's, the Superintendents' Policy

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Council will take action to approve or reject the proposed policy in accordance with voting procedures established by the Council.

E.C. 56025(a)(12)(D)(i)

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

A. Responsibilities of the Superintendents

The Superintendent of each participating LEA is responsible for assuring the provision of appropriate special education programs and services for individuals with disabilities, birth to 22, for who the district is responsible in accordance with the policies, agreements and procedures established by the governing board and those described in the Local Plan. The specific functions of the district superintendents necessary for carrying out the responsibility include:

1. Representing the LEA as a member of the Superintendents' Special Education Policy Council and carrying out the functions of the Policy Council as described in the Local Plan;
2. Acting as a liaison between the LEA governing board and the Policy Council;
3. Providing leadership within the district in support of special education programs and services;
4. Advising the governing board of policies adopted by the Policy Council;
5. Recommending to the governing board the development and adoption of local policies for special education programs and services;
6. Recommending to the governing board any revisions of special education programs and services which are necessary to meet the changing needs of the district and which should be considered in the SELPA budget planning process;
7. Developing and maintaining fiscal accounting records and information compatible with procedures established by the Policy Council and the Responsible Local Agency (RLA) and in a manner that facilitates an audit or review by a certified public accountant, the State Department of Education or the Policy Council;

E.C. 56205(a)(12)(D)(ii)(IV)

8. Collecting information on the LEAs special education program operation and

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reporting such information to the SELPA Executive Director;

9. Supporting and cooperating in SELPA regional activities, such as:

- a) Personnel development,
- b) Coordination of curriculum,
- c) State and federal reporting,
- d) Program evaluation, and
- e) Student management information systems.

10. Providing administrative support for all special education programs and services in the LEA without regard to employing agency;

11. Designating and directing the activities of a director/coordinator of special education;

12. Consulting with the SELPA Executive Director before taking action which may lead to violation of due process, a complaint or a major programmatic change affecting the SELPA; and

13. Implementing and monitoring actions directed by administrative hearing or compliance officers.

E.C. 56205(a)(12)(D)(i)

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

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

E.C. 56205(a)(12)(ii)(III)

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11. Identify the respective roles of the RLA/AU, the SELPA administrator, and the individual LEAs associated with the SELPA related to:

- a. The hiring, supervision, evaluation, and discipline of the SELPA administrator and staff employed by the AU in support of the local plan:

The County Superintendent's Office serves as the employing agency for the SELPA Executive Director and the SELPA Regional Office staff in accordance with personnel policies of the County Schools office and procedures developed by the Policy Council which enables the SELPA Regional Office to operate as a separate program within the structure of the County Superintendent's Office. The Policy Council participates with the County Superintendent in the hiring and evaluation of the Executive Director and recommends and directs his/her activities for providing regionalized services. The Policy Council approves the annual budget and staffing for regionalized services and participates with the Executive Director and County Superintendent in the selection and direction of the SELPA Regional Office staff.

The Superintendent of the RLA shall employ a sufficient number of program specialists to meet the needs of the Mendocino SELPA. Such personnel will be employed accordance with the personnel and employment practices of the Mendocino County Office of Education and, for purposes of supervision and evaluation, be assigned to the SELPA Executive Director. Specific assignments of program specialist will be made by the SELPA Executive Director.

E.C. 56368

Program Specialists possess a valid special education, clinical services, or health services credential or school psychologist authorization and have advanced training and related experience in the education of individuals with disabilities. They have specialized in-depth knowledge of one or more handicapping conditions, preschool special education or career/vocational education.

Program Specialists are employees of the County Superintendent's Office under the direct supervision of the SELPA Executive Director. Program Specialists may be employed as full-time SELPA Regional Office staff, part-time in addition to regular assignments or as temporary consultants.

The Executive Director is responsible for selecting and assigning the program specialists and directing their activities. The Policy Council participates with the Executive Director in the selection and direction of program specialists.

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

All federal and state special education funds shall be allocated to the SELPA Administrative Unit for distribution to LEA's according to an approved Special Education Funding Allocation Plan (see Attachment #). Any changes to the allocation of federal and state special education funds shall be made by the Policy Council.

A. Responsibilities For Distribution of Federal and State Funds

The governing boards of local education agencies participating in the SELPA have agreed that students with disabilities will be provided with appropriate special education services. The Policy Council has been designated the authority to determine the distribution of all federal and state special education funds in order for participating LEA's to carry out their responsibilities. The RLA shall be responsible for the distribution of funds according to a special education funding allocation Plan approved by the Policy Council. The SELPA Executive Director is responsible to ensure that the funds are distributed according to the approved Allocation Plan.

B. Monitoring The Use Of Special Education Funds

It is the intent of the SELPA that the needs of students with severe disabilities, as identified in the IEP, shall be met.

Funds allocated for special education programs shall be used for services for students with disabilities. Federal funds under Part B of IDEA may be used for the following activities:

1. For the costs of special education and related services and supplementary aids and services provided in a regular class or other education-related setting to a child with a disability in accordance with the IEP for the child, even if one or more nondisabled children benefit from these services.

2. To develop and implement a fully integrated and coordinated services system.

The SELPA Executive Director, with the assistance of the Steering Committee, and the RLA, shall be responsible to monitor, on an annual basis, the appropriate use of all funds allocated for special education programs. The SELPA will conduct program/fiscal audits with each LEA when there is a new Superintendent, Business Manager, and/or Special Education Director in place at the LEA. The intended purpose is to review the allocation of funds, provide training and guidance for new personnel, and discuss any upcoming program needs of the LEA. Any action regarding the appropriate use of special education funds shall be made by the Policy

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Council through the annual budget planning process.
E.C. 56205(a)(12)(D)(ii)(II)

c. The operation of special education programs:

It is the intention of the SELPA to provide a full continuum of services to students with disabilities, including students in charter schools, sponsored by participating LEA's. Access to services is through each of the LEA's. A list of services available to children and students ages birth to 22 is in the Section E of this Local Plan. The referral, assessment and IEP process is utilized to identify the needs of each individual student with disabilities. The LEA's have committed to policies and procedures to assure that students will have their rights to appropriate services provided in the least restrictive environment.

The Steering Committee shall identify on a regular basis any unmet needs for students within the SELPA. With the assistance of the SELPA Executive Director, the Steering Committee identifies the resources within the SELPA which could provide the appropriate services. When services are required beyond the programs and services being provided by an LEA, the Steering Committee shall develop a plan to meet those needs for consideration by the Policy Council.

All individuals with exceptional needs residing within the county including those enrolled in alternative education programs, including, but not limited to, alternative schools, charter schools, opportunity schools and classes, community day schools operated by school districts, community schools operated by the county office of education, and juvenile court schools, will have access to appropriate special education programs and related services.

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

Program and Fiscal Audit Review

The purpose of the Program and Fiscal Audit is to provide a current analysis of district and county office of education fiscal and program elements in order to:

1. assure cost effective operation of programs for students with disabilities, and

2. assure program quality and accountability for student progress and use of state and federal special education funds.

The desired outcomes of the audit/review process is that the SELPA Policy Council and the staff to each local education agency (LEA) will have sufficient information to make informed decisions regarding the operations of the entire SELPA, including both fiscal allocation and program design and delivery. The delivery of services by each LEA is an integral part to the successful operation of all participating LEA's and the overall SELPA.

The Program and Fiscal Audit will be conducted annually by the SELPA Director and Program Fiscal Analyst with support from the Business Division of the RLA and staff from each LEA. The audit will be divided into two components (fiscal and program) and will be conducted at both the district and school site level. The SELPA Director and Program Fiscal Analyst will meet with the district business manager, the lead administrator for special education programs and other personnel recommended by the district superintendent to complete the district level review. The site level review will focus on programs and services and will be conducted by a SELPA Program Specialist and other designated special education representatives.

The fiscal component of the audit/review will focus on the fair and equitable distribution of funds to provide services for students with disabilities, based on the SELPA Fiscal Allocation Plan. Current program operations will be compared to current and proposed funding allocations to ensure that all students' needs are met regardless of disability and resident district within the SELPA and that funds are being used appropriately and in a cost effective manner. The standards used for this comparison will be the Fiscal Allocation Plan and the Local Plan.

The program component of the audit/review will focus on instructional practices, service delivery models, IEP processes and timelines, Special Education monitoring activities. Areas of focus may change depending on state-level and local priorities resulting from state initiatives and focused monitoring.

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

Low incidence services and equipment will be available to all students who require it within the least restrictive environment. These can include:

- (1) Specially designed instruction related to the unique needs of students with low-incidence disabilities.
- (2) Specialized services related to the unique needs of students with low-incidence disabilities provided by qualified individuals such as interpreters, note-takers, readers, transcribers, and other individuals who provide specialized materials and equipment.

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(3) Services will be provided by appropriately credentialed teachers.
In addition, Mendocino County SELPA supports the work of the Mendocino Autism Resource Team (MART), maintains an extensive resource library for professionals and parents, as well as provides Program Specialist support to train school staff on the use of specialized equipment and supports within the least restrictive environment.

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 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

If "NO," provide a brief description of the SELPA's policy related to the provision of law:

It shall be the policy of this LEA that an Individualized Education Program (IEP) or an Individualized Family Service Plan (IFSP) is developed, reviewed and revised for each child with a disability who requires special education and related services in order to benefit from his/her individualized education program. It shall be the policy of this LEA that a review of an IEP will be conducted on at least an annual basis to review a student's progress and make appropriate

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revisions. It shall be the policy of this LEA that a review of an IFSP will be conducted every six months to review an infant/toddler's progress and make appropriate revisions.

5. Least Restrictive Environment: USC Section 1412(a)(5)

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

If "NO," provide a brief description of the SELPA's policy related to the provision of law:

It shall be the policy of this LEA that children with disabilities and their parents shall be afforded all procedural safeguards throughout the provision of a free appropriate public education including the identification, evaluation, and placement process.

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

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Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

If "NO," provide a brief description of the SELPA's policy related to the provision of law:

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 (FERPA).

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

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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

If "NO," provide a brief description of the SELPA's policy related to the provision of law:

It shall be the policy of this LEA that a transition process for a child who is participating in Early Intervention Programs (IDEA, Part C) with an IFSP is begun prior to a toddler's third birthday. The transition process shall be smooth, timely and effective for the child and family.

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

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

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Yes No

12. Interagency: 20 USC Section 1412(a)(12)

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

14. Personnel Qualifications

Policy/Procedure Number:

Document Title:

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

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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

If "NO," provide a brief description of the SELPA's policy related to the provision of law:

It shall be the policy of this LEA to ensure that personnel providing special education related services meet the requirements as defined under federal law, including 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 qualified or to prevent a parent from filing a State complaint with the CDE about staff qualifications.

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

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

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

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that all students with disabilities shall participate in state and district-wide assessment programs described in 20 USC Subsection 6311. The IEP team determines how a student will access assessments with or without accommodations, or access alternate assessments where necessary and as indicated in their respective Reps.." The policy is adopted by the SELPA as stated:

Yes No

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If "NO," provide a brief description of the SELPA's policy related to the provision of law:

It shall be the policy of this LEA that all students with disabilities shall participate in state and district-wide assessment programs. The IEP team determines how a student will access assessments with or without accommodations, or access alternate assessments, consistent with state standards governing such determinations.

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:

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"It shall be the policy of this LEA that public hearings, adequate notice of the hearings, and an opportunity for comments are available to the general public, including individuals with disabilities and parents of children with disabilities, and are held prior to the adoption of any policies and/or regulations needed to comply with Part B of the IDEA." The policy is adopted by the SELPA as stated:

Yes No

20. Suspension and Expulsion: 20 USC Section 1412(a)(22)

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

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

Policy/Procedure Number:

Document Title:

Document Location:

"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:

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"It shall be the policy of this LEA to prevent the inappropriate over-identification or disproportionate representation by race and ethnicity of children as children with disabilities." The policy is adopted by the SELPA as stated:

Yes No

If "NO," provide a brief description of the SELPA's policy related to the provision of law:

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:

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Description:

The Mendocino County Special Education Local Plan Area (SELPA) is comprised of the 12 school districts within the geographic area of Mendocino County and the Mendocino County Superintendent of Schools' Office. Together these education agencies have joined in a cooperative plan to provide special education and services for individuals with disabilities, birth to 22, who are enrolled in local education agencies (LEA's) in Mendocino County. The Superintendent's Office is designated as the Responsible Local Agency (RLA). The SELPA Executive Director, under the direction of the Superintendents' Special Education Policy Council, provides administrative support and coordination of the implementation of the Local Plan.
E.C. 56205(a)(12)(A)

2. Coordinated system of identification and assessment:

Reference Number:

Document Title:

Document Location:

All individuals with suspected disabilities from birth through age 21 will be identified and referred to the appropriate agency to be assessed. Each individual will receive a full and individual evaluation to identify the disability, determine eligibility and identify educational needs. The assessment information will provide the basis for an Individualized Education Program (IEP) or Individualized Family Service Plan (IFSP) to ensure the individual receives a free appropriate public education (FAPE).
CHILD FIND
The Special Education Local Planning Area (SELPA) and individual districts will actively and systematically seek out all individuals with disabilities including children with disabilities who are homeless children or are wards of the State and children with disabilities attending private schools, regardless of the severity of their disabilities and who are in need of special education and related services, are identified, located, and evaluated.
Child Find activities may include but not be limited to:
1. A comprehensive screening program, including health, vision, hearing, speech and language;
2. Distribution of written information, including brochures and pamphlets describing the referral procedure;
3. Public awareness campaign, including public service

announcements;

4. Annual notices to local newspapers;
5. Consultation with representatives of private schools, including religious schools on how to carry out activities to identify children with suspected disabilities;
6. Coordination with preschools, Head Start and other childcare facilities;
7. Communication with hospitals, pediatricians, obstetricians and other health professionals;
8. Coordination with parent resource centers and support groups;
9. Presentations to local professional groups and organizations established to inform and/or to serve culturally diverse populations;
10. Coordination with activities of the SELPA Community Advisory Committee (CAC); and,
11. Coordination with school site procedures, including referrals from the school site student intervention teams (e.g. Student Study Teams, etc.).

(EC 56300, 56301, 52040; CFR 300.451)

1.2 B STUDENT STUDY TEAM

The Student Study Team (SST) is a regular education function. It is a process of reviewing individual student problems and planning alternative instructional strategies to be implemented in the regular classroom.

Although specialists, such as school psychologists, speech/language specialists, and resource specialists may be involved, the SST is not a special education function and as such is not subject to the associated restrictions and timelines. A special education referral may be appropriate after alternative strategies have been implemented. As a regular education function, the team also helps with mainstreaming strategies for those students who are already in special education. A student suspected of having a disability under the provisions of Section 504 of the Rehabilitation Act of 1973, will be assessed by a process defined through local board policies and procedures.

Referrals for assessment to determine eligibility for special education and related services may come from teachers, parents, agencies, appropriate professional persons, and from other members of the public. The referrals will be coordinated with school site procedures for referral of pupils with needs that cannot be met with modifications of the regular instructional program, including referrals from student intervention teams, such as the Student Study Team.

A child shall be referred for special education and services only after the resources of the regular education program have been considered and, where appropriate, utilized.

1.3 B REFERRAL PROCEDURES

1. Referrals for assessments to determine eligibility for special education and related services will be made to the school site principal or designee at the child’s school of residence.
2. Referrals may be processed through the school site Student Study Team or other student intervention team to review the referral and document interventions tried prior to referral.
3. All requests for assessments will be submitted in writing. If a parent makes the request verbally the principal or designee will assist the individual in making the request in writing.
4. The school site administrator or designee will review the referral. If the information is incomplete the referral source will be contacted to request additional information.
5. If the information is complete, the school site administrator or designee will initiate the assessment process, including notification of parent. An assessment plan will be developed.
6. No assessment will be conducted without written parent consent.
7. The district office special education administrator will assist, whenever necessary to process referrals.

(EC 56302-56303; 5 CCR 3021, 5 CCR 3029; CFR 300.530)

INITIAL ASSESSMENTS

A full and individual assessment shall be conducted for each child being considered for special education and related services to determine if the child meets eligibility criteria as a child with a disability and to determine the educational needs of the child.

Once a child has been referred for initial assessment to determine whether the child is an individual with exceptional needs to determine the educational needs of the child, these determinations shall be made, and an individualized education program meeting shall occur, within 60 days of receiving parental consent for the assessment, not counting days between the pupil’s regular school sessions, terms or days of school vacation in excess of five school days.

The 60 day time period does not apply if either of the following occurs:

- (1) The child enrolls in a school served by the LEA after the relevant time period has commenced but prior to determination by his or her previous LEA of whether the child is an individual with exceptional needs. This exemption applies only if the subsequent LEA is making sufficient progress to ensure a prompt completion of the assessment, and the parent and subsequent LEA agree to a specific date by which the assessment shall be completed.
- (2) The parent of a child repeatedly fails or refuses to produce the child for assessment.

The results of the assessment will be used by the child’s IEP team to develop an appropriate Individualized Education Program (IEP).

Description:

1.5 B ASSESSMENT PLAN
After a review of the referral, pupil records and/or other immediately available material, the assessment team will meet to develop a proposed assessment plan.

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A proposed assessment plan shall be developed within 15 calendar days of referral for assessment, not counting calendar days between the pupil's regular school sessions or terms or calendar days of school vacation in excess of five school days from the receipt of the referral, unless the parent or guardian agrees, in writing, to an extension. In any event, the assessment plan shall be developed within 10 days after the commencement of the subsequent regular school year when the referral has been made 20 days or less prior to the end of the regular school year. In the case of pupil's school vacations, the 15 day time shall recommence on the date that the pupil's regular school days reconvene.

The proposed assessment plan given to the parents or guardians shall meet all the following requirements:

1. Be in language easily understood by the general public
2. Be provided in the native language of the parent or guardian or other mode of communication used by the parent or guardian, unless to do so is not clearly feasible.
3. Explain the types of assessments to be conducted.
4. State that no individualized education program will result from the assessment without the consent of the parent.

The LEA proposing to conduct an initial assessment to determine if the child qualifies as an individual with exceptional needs shall obtain informed consent from the parent of the child before conducting the assessment. If the parent of the child does not provide consent for an initial assessment, or the parent fails to respond to a request to provide consent, the LEA may pursue the initial assessment through due process, but is not legally obligated to do so.

The LEA shall not be required to obtain informed consent from the parent of a child for an initial assessment to determine whether the child is an individual with exceptional needs under any of the following circumstances:

1. Despite reasonable efforts to do so, the LEA cannot discover the whereabouts of the parent of the child.
2. The rights of the parent have been terminated in accordance with state law.
3. The rights of the parent to make educational decisions have been subrogated by a judge in accordance with state law and consent for initial assessment has been given by an individual appointed by the judge to represent the child.

Parental consent is not required before reviewing existing data as part of an assessment or reassessment, or before administering a test or other assessment that is administered to all children unless before administration or reassessment, or before administration of that test or assessment, consent is required of the parents of all children. The screening of a pupil by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation shall not be considered to be an assessment for eligibility for special education and related services.


As part of the assessment plan the parents will be provided with a written notice that upon completion of the administration of tests and other assessment material, an Individualized Education Program (IEP) team meeting, including the parent and his or her representatives, will be scheduled. The IEP Team will discuss the assessment, review any additional information, discuss the educational recommendations, and the reasons for these recommendations.

Parents will receive a copy of the assessment report and the documentation of determination of eligibility. Included with the assessment plan will be a copy of Parents' Rights and Procedural Safeguards. The parents will be informed that they have a right to obtain, at public expense, an independent educational assessment of the pupil from qualified specialists, if the parent disagrees with an assessment obtained by the district. The district can choose to file a due process complaint to request a due process hearing to defend the public evaluation.

No assessment will be conducted unless the written consent of the parent is obtained prior to the assessment. The parent shall have at least 15 days from the receipt of the proposed assessment plan to arrive at a decision. Assessment may begin immediately upon receipt of the consent. The assessments will be completed and an IEP meeting scheduled within 60 calendar days from the date of the receipt of the parent's consent for assessment.

Parent consent for assessment shall not be construed as consent for placement or for receipt of special education and related services. Personal contact with the parents to explain the process and forms is strongly recommended.

If a parent refuses to sign permission for an assessment, the school district may file for mediation/due process hearing. If the district prevails in a due process hearing, the assessment can be conducted without parent consent.

(EC 56321, 5 CCR 3022)
ASSESSMENT REQUIREMENTS
Tests and other assessment materials must meet all of the following 

- requirements:
1. Are provided and administered in the language and form most likely to yield accurate information on what the pupil knows and can do academically, developmentally, and functionally, unless is not feasible to provide or administer.
 2. Procedures and materials for evaluation and assessment of students shall be selected and administered so as not to be racially or culturally discriminatory.
 3. Are used for purposes for which the assessments or measures are valid and reliable.
 4. Are administered by trained and knowledgeable personnel and are administered in accordance with any instructions provided by the producer of the assessments, except that individually administered tests of intellectual or emotional functioning shall be administered by a credentialed school psychologist.
 5. Tests and other assessment materials include those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient.
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 6. Tests are selected and administered to best ensure that when a test is administered to a pupil with impaired sensory, manual, or speaking skills produces test results that accurately reflect the pupil's aptitude, achievement level, or any other factors the test purports to measure and not the pupil's impaired sensory, manual or speaking skills unless those skills are the factors that the test purports to measure.
 7. No single measure or assessment is used as a sole criterion for determining whether a pupil is an individual with exceptional needs or determining an appropriate educational program for the pupil.
 8. The pupil is assessed in all areas of the suspected disability including, if appropriate, health and development, vision, including low vision, hear, motor abilities, language function, general intelligence, academic performance, communicative status, self-help, orientation and mobility skills, career and vocational abilities and interests, social and emotional status.
 9. A developmental history shall be obtained when appropriate. For pupils with residual vision, a low vision assessment shall be provided.
 10. The assessment of a pupil, including the assessment of a pupil with a suspected low incidence disability, shall be conducted by persons knowledgeable of that disability. Special attention shall be given to the unique educational needs, including, but not limited to, skills and the need for specialized services, materials, and equipment.
 11. As part of an initial evaluation the IEP team will review existing evaluation data on the child, including evaluations and information provided by the parents of the child, current classroom-based

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assessments and observations, and observations by teachers and related services providers.
(EC 56320, 56324)
1.5 D ASSESSMENT REPORT
The personnel who assess the pupil shall prepare a written report, or reports, as appropriate, of the results of each assessment. The report shall include, but not be limited to, all the following:
1. Whether the child may need special education and related services.
2. The basis for making the determination.
3. The relevant behavior noted during the observation of the child in an appropriate setting.
4. The relationship of that behavior to the child's academic and social functioning.
5. The educationally relevant health and development, and medical findings, if any.
6. A determination concerning the effects of environmental, cultural, or economic disadvantage, where appropriate.
7. The need for specialized services, materials, and equipment for pupils with low incidence disabilities.
If an assessment is not conducted under standard conditions, a description of the extent to which it varied from standard conditions must be included in the assessment report.
(EC 56327) +

3. Coordinated system of procedural safeguards:

Reference Number:	<input type="text" value="NA"/>
Document Title:	<input type="text" value="Mendocino County SELPA LEA Assurances"/>
Document Location:	<input type="text" value="Mendocino County SELPA Office"/>
Description:	<input type="text" value="PROCEDURAL SAFEGUARDS (20 USC § 1412 (a)(6))
It shall be the policy of this LEA that children with disabilities and their parents shall be afforded all procedural safeguards throughout the provision of a free appropriate public education including the identification, evaluation, and placement process."/>

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

Reference Number:	<input type="text" value="NA"/>
	<input type="text" value="Mendocino County SELPA Local Plan-Other Elements- Comprehensive"/>

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Document Location:

Description:

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

Reference Number:	<input type="text" value="NA"/>
Document Title:	<input type="text" value="Mendocino County SELPA Local Plan-Literacy Development"/>
Document Location:	<input type="text" value="Mendocino County SELPA Office"/>
Description:	<input type="text" value="SELPA Superintendents' Policy Council assures that all students have full access and instruction in all required core curriculum, including state adopted textbooks and supplementary textbooks and instructional materials and support to attain higher standards"/>

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

Reference Number:	<input type="text" value="NA"/>
Document Title:	<input type="text" value="Mendocino County SELPA- Distribution of Program Funds, Program Audit"/>
Document Location:	<input type="text" value="Mendocino County SELPA Office"/>
Description:	<input type="text" value="The purpose of the Program and Fiscal Audit is to provide a current analysis of district and county office of education fiscal and program elements in order to:
1. assure cost effective operation of programs for students with disabilities, and
2. assure program quality and accountability for student progress and use of state and federal special education funds.
The desired outcomes of the audit/review process is that the SELPA Policy Council and the staff to each local education agency (LEA) will have sufficient information to make informed decisions regarding the operations of the entire SELPA, including both fiscal allocation and program design and delivery. The delivery of services by each LEA is an integral part to the successful operation of all participating LEA's and the overall SELPA.

The Program and Fiscal Audit will be conducted annually by the SELPA Director and Project Administrator with support from the Business Division of the RLA and staff from each LEA. The audit will be divided into two components (fiscal and program) and will be conducted at both"/>

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Description:

the district and school site level. The SELPA Director and Project Administrator will meet with the district business manager, the lead administrator for special education programs and other personnel recommended by the district superintendent to complete the district level review. The site level review will focus on programs and services and will be conducted by a SELPA Program Specialist and other designated special education representatives.

The fiscal component of the audit/review will focus on the fair and equitable distribution of funds to provide services for students with disabilities, based on the SELPA Fiscal Allocation Plan (Appendix A). Current program operations will be compared to current and proposed funding allocations to ensure that all students' needs are met regardless of disability and resident district within the SELPA and that funds are being used appropriately and in a cost effective manner. The standards used for this comparison will be the Resource Allocation Guidelines (Appendix C) that are incorporated into the Fiscal Allocation Plan and the Local Plan.

The program component of the audit/review will focus on instructional practices, service delivery models, IEP processes and timelines, student records, student participation in state assessment process and program evaluation. Areas of focus may change depending on state-level and local priorities resulting from state initiatives and focused monitoring.

7. Coordinated system of data collection and management:

Reference Number:

Document Title:

Document Location:

Description:

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Each member Local Education Agency (LEA) of the Mendocino County SELPA shall provide data and/or information to the California Department of Education (CDE) required by regulations for purposes of the State Performance Plan (SPP). Current data reporting includes, but is not limited to, the following:

- Fall 1 count through CALPADS submission
- Desired Results Developmental Profile (DRDP)

8. Coordination of interagency agreements:

Reference Number:	<input type="text" value="NA"/>
Document Title:	<input type="text" value="Mendocino County SELPA LEA Assurances"/>
Document Location:	<input type="text" value="Mendocino County SELPA Office"/>
Description:	<input type="text" value="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 FAPE are provided, including the continuation of services during an interagency dispute resolution process."/>

9. Coordination of services to medical facilities:

Reference Number:	<input type="text" value="NA"/>
Document Title:	<input type="text" value="Mendocino County SELPA Local Plan - Other Elements - Services to Hospital, Foster/LCI, Homeless, Court and Community School Students"/>
Document Location:	<input type="text" value="Mendocino County SELPA Office"/>
	<input type="text" value="Services to Hospital, Foster/LCI, Homeless, Court and Community School Students"/> Policy: It is the responsibility of each member Local Education Agency (LEA) of the Mendocino County SELPA to make provisions for service delivery to hospitalized individuals with exceptional needs, individuals in Licensed Children’s Institutions (LCIs), foster homes, students that are homeless, and individuals in the juvenile court system. The Local Education Agency (LEA) of residence is responsible for child find, identification, and service provision based on Individualized Education Program (IEP) decisions. Reference: EC 56195.7 (d-g)

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Description:

Procedures:
Local Education Agencies (LEAs) are responsible for child find activities and for student Individual Education Program (IEP) services for students residing in a Hospital, Foster/LCI, or who are homeless, or who attend a district operated court and community school within the district's geographical boundaries. The Mendocino County Office of Education (MCOE) is responsible for instructional services to students attending court and county community schools and to students residing in juvenile hall. Intra-SELPA agreements will be established for the provision of related services for students in mandated court and county community schools, and students who reside in juvenile hall. Requirements regarding students that are homeless, as defined in the McKinney-Vento Act and SB 490, will be followed as applicable to students with disabilities. Home instruction is available through each LEA for those students whose IEPs indicate this service option is necessary.

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

Reference Number:

Document Title:

Document Location:

Description:

LEA Responsibility for Licensed Children's Institution and Foster Family Home Students
Policy:
The Mendocino County Office of Education will act as the Local Education Agency and assume responsibility for search and serve requirements of IDEA for special education students placed in Licensed Children's Institutions and foster family homes by other public agencies, (e.g., Department of Human Services, including Aid to State Adoptions, Department of Probation, Department of Drug and Alcohol, or Regional Center) and requiring a nonpublic school placement. The district where the parent resides will act as the Local Education Agency and assume responsibility for search and serve requirements of IDEA for special education students placed in Licensed Children's Institutions and foster family homes by other public agencies (e.g., Department of Human Services, including Aid to State Adoptions,

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Department of Probation, Department of Drug and Alcohol, or Regional Center) and not requiring a nonpublic school placement. A district is not precluded from assuming responsibility for a nonpublic school student who is in the process of transitioning to a district program. The point at which the district of the Mendocino County Office of Education becomes the responsible agency is when it claims ADA for a student.

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

Reference Number:	<input type="text" value="NA"/>
Document Title:	<input type="text" value="Mendocino County SELPA Local Plan"/>
Document Location:	<input type="text" value="Mendocino County SELPA Office"/>
Description:	<input type="text" value="The SELPA administrator will ensure timely transmission of required reports and provide technical assistance to support personnel who may be completing those reports."/>

12. Fiscal and logistical support of the CAC:

Reference Number:	<input type="text" value="NA"/>
Document Title:	<input type="text" value="Mendocino County SELPA CAC Bylaws"/>
Document Location:	<input type="text" value="Mendocino County SELPA"/>
Description:	<input type="text" value="a. As stipulated in the California Education Code, the Mendocino County SELPA Community Advisory Committee (herein referred to as the “CAC”) will have such authority and fulfill such responsibilities as are defined for it in the Local Plan. Such responsibilities will include but need not be limited to: advising the Superintendent’s Policy Council regarding the development of the Local Plan and the review of programs under such Plan; making recommendations on annual priorities to be addressed under the Plan, assisting in parent education and in recruiting parents and other volunteers who may contribute to the implementation of the Plan; encouraging public involvement in the development and review of the Local Plan; and acting in support of individuals with disabilities and participating in activities regarding the Local Plan."/>

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

Reference Number:

Document Title:

Document Location:

Transportation for Students with Disabilities
Policy:
Aligning with the Individuals with Disabilities Education Act (IDEA) mandate of Least Restrictive Environment (LRE), students with disabilities will ride the regular school bus to and from school whenever possible. When the disabling condition of a student is such that the student requires special transportation services in order to benefit from their educational program, the IEP Team has the responsibility to include transportation services in the IEP as a related service. As specified in the Code of Federal Regulations Section 300.34, specialized transportation for a disabled student is defined as a related service to be provided as “required to assist a child with a disability to benefit from special education... Specialized transportation includes:

- travel to and from school and between schools,
- travel in and around school buildings, and
- specialized equipment (such as special or adapted buses, lifts and ramps), if required to provide special transportation for a child with a disability.”

Specialized Transportation Options:
Specialized transportation service generally refers to any transportation arrangement, in excess of riding the regular school bus to and/or from a regularly scheduled school bus stop, that is determined by an IEP Team. Specialized transportation services may include, but are not limited to, the following:

- to and from home and the school of attendance
- between schools for purposes specified in the IEP, and
- to and from a Mental Health service.

Reference: CFR § 300.34

Procedural Guidelines for Special Education Transportation:

The following guidelines are derived from the Special Education Transportation Guidelines developed by California Department of Education in response to EC Section 41851.2 which required the State Superintendent of Public Instruction (SSPI) to develop special education transportation guidelines for use by individualized education program (IEP) teams that clarify when special education transportation services are required.

The guidelines should be utilized to plan and implement transportation services to pupils that require this service to benefit from special education instruction and/or related services. They are applicable to all individuals with exceptional needs enrolled in school programs birth to age 22.

EC Section 56040 states: “Every individual with exceptional needs, who is eligible to receive educational instruction, related services or both under this part shall receive such educational instruction, services, or both at no cost to his or her parents or, as appropriate, to him or her.” Special education transportation is defined as a related service in the federal regulation (34 CFR § 300.24). Transportation is required to be provided if it is necessary for the student to benefit from special education instruction. In addition, as required for any special education program, the service must be provided to meet the criteria for a free, appropriate public education (FAPE).

EC Section 56441.14 states: “Criteria and options for meeting the special education transportation needs of individuals with exceptional need between the ages of three and five, inclusive, shall be included in the local transportation policy.”

EC Section 41850(d) defines “special education transportation” as: “the transportation of severely disabled special day class pupils, and orthopedically impaired pupils who require a vehicle with a wheelchair lift, who received transportation in the prior fiscal year, as specified in their individualized education program”.

EC Section 41850(b) “home-to-school transportation services” includes all of the following:

- The transportation of pupils between their homes and the regular full-time day school they attend, as provided by a school district or county superintendent of schools.

- The payment of moneys by a school district or county superintendent of schools to parents or guardians of pupils made in lieu of providing for the transportation of pupils between their homes and the regular full-time day schools they attend.
- Providing board and lodging to pupils by a school district or county superintendent of schools made in lieu of providing for the transportations of pupils between their homes and the regular full-time day schools they attend.
- The transportation of pupils between the regular full-time day schools they would attend and the regular full-time occupational training classes they attend, as provided by a regional occupational center or program.
- The transportation of individuals with exceptional needs as specified in their individualized education programs, who do not receive special education transportation as defined in subdivision (d), state above.

Examples that IEP teams may consider under EC 41850(b) include:

- Pupils with severe disabilities who are not placed in special day classes or otherwise enrolled in programs serving pupils with profound disabilities
- Pupils with orthopedic disabilities who do not use wheelchairs or require lifts
- Students beginning special education who did not receive transportation under an IEP in the prior fiscal year
- Pupils with other health impairment, learning disabilities or other cognitive disabilities
- Pupils who live beyond reasonable distance to their school and would not, without transportation, have access to appropriate special education instruction and related services at no cost

Delivery of Services

The person responsible for implementation of the IEPs should be knowledgeable of transportation policies and/or procedures that address the responsibilities of the IEP team in regard to transportation and the delivery of services to eligible students in their least restrictive environment.

This includes consideration of services that are provided in the setting appropriate to the needs of the student at the pupil's neighborhood school, or within the district or SELPA. Consideration should be taken regarding the effect that the location of the placement will have on the length of time that a student has to and from school each day.

Placements should not be made solely on "space available" basis. If a student is receiving services outside of his/her residence area, the placement should be reviewed at least annually in order to determine if a placement closer to the student's residence would be appropriate.

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Description:

Location of Programs/Placement of Pupils
The efficiency of a transportation system for special education is partially dependent on the location of the program sites and placements of students. A demographic and geographic review that analyzes the present locations of programs, program needs, and populations served should take place. Program service regions with clearly defined service areas can then be established, using residence areas of the neighborhood schools. While this also involves the issue of facilities, a mission statement and policies developed by the agency may promote the comprehensive commitment to all pupils and the acceptance of pupils with exceptional needs in a broad variety of settings.

Additional Policy Considerations
Other subjects that need policy and procedures directives may include:

- Control of pupil’s medicine transported between home and school on a vehicle
- Students suspension
- Physical intervention and management
- Authority to use special harnesses, vests and belts
- Early closing of schools due to inclement weather or other emergencies
- Authority to operate special equipment
- When no adult is home to receive pupils
- When and how to involve community emergency medical and/or law enforcement personnel
- Use of mobility aides
- Student Emergency Form

Length of School Day, Related Services, Extracurricular Events
It should be noted that the use of alternative starting times for all special education students at a site could lead to program compliance concerns.
Pupils receiving special education and related services must be provided with an educational program in accordance with their IEP for at least the same length of time as the regular school day for their chronological peer group, unless otherwise stated in a student’s IEP. In addition, there may be occasions where the needs of the pupil require receiving therapy or some other related services that cannot be provided during the “established” school day.
If provisions for “early or late” transportation are made for pupils within the general education program due to extra-curricular events, provisions for equal opportunity to these events for pupils with exceptional needs who require special transportation must also be made.

Guidelines for Individualized Education Program (IEP) Teams

Local Education Agency Rules and Policies

All pupils, including those receiving specialized instruction and services, are subject to the rules and policies governing regular transportation offerings within the local education agency, unless the specific needs of the eligible pupil or the location of the special education program/ services dictate that special education transportation is required.

Primary Consideration: Pupil Needs

The specific needs of the pupil must be the primary consideration when an IEP team is determining any transportation needs. These may include, but are not limited to:

1. Pupil's medical diagnosis and health needs
2. Consideration of whether long bus rides could affect a pupil's health (e.g. duration, temperature control, need for services, health emergencies)
3. Pupil's general ability and/or strength to ambulate/wheel
4. Approximate distance from school or the distance needed to walk or wheel oneself to the school
5. Consideration of pupil's needs in inclement or very hot weather
6. Physical accessibility of curbs, sidewalks, streets, and public transportation systems
7. Pupil's capacity to arrive at school on time
8. Pupil's capacity to avoid getting lost, to avoid dangerous traffic situations and to avoid other potentially dangerous or exploitative situations on the way to and from school
9. Behavioral Intervention Plans specified by the pupil's IEP and consideration of how to implement such plans while a pupil is being transported
10. Other transportation needs mid-day or other transportation needs as required on a pupil's IEP (e.g. occupational or physical therapy or mental health services at another site, community based classes, etc.) must also be taken into consideration when the IEP team discusses a pupil's placement and transportation needs.

Transportation Staff and IEP Team Meetings

Effective practice requires that procedures are developed for communication with transportation personnel. Transportation staff may be invited to IEP team meetings when:

- The pupil needs the use of adaptive or assistive equipment
- School bus equipment is required to be modified

- The pupil exhibits severe behavioral difficulties and a behavior intervention plan is to be implemented
- The pupil is medically fragile and requires special assistance
- The pupil has other unique needs

Transportation Options

Considering the identified needs of the pupil, transportation options may include, but not be limited to:

- Walking
- Riding the regular school bus
- Utilizing available public transportation (any out-of-pocket costs to the pupil or parents may be reimbursed by the LEA)
- Riding a special bus from a pick-up point
- Portal-to-portal special education transportation via a school bus
- Taxi
- Reimbursement of parent’s driving with a parent’s voluntary participation to provide transportation in lieu of other alternatives
- Other mode as determined by the IEP team

When developing specific IEP goals and objective related to the pupil’s use of public transportation, the IEP team may wish to consider a blend of transportation services as the pupil’s needs evolve.

Specialized transportation as a related service must be written on the pupil’s IEP with specificity and should be approved by the transportation or special education administrator. It is recommended that services be described in sufficient enough detail to inform the parties of how, when and from where to where transportation will be provided. As needed, detailed arrangements for the reimbursement of parents, which includes the amount and frequency of the reimbursement, should be provided.

Suspension from the School Bus

Occasionally pupil receiving special education services are suspended from bus transportation (EC 48900-48900.7, Grounds for Suspension). Per the Office of Civil Rights, Letter of Finding Complaint No. 04-89-1246, December 8, 1989, the suspension of a pupil receiving special education services can constitute a significant change of placement if the district:

1. Has been transporting the student
2. Suspends the student from the transportation as a disciplinary measure
3. Does not provide another mode of transportation

A significant change in placement requires a meeting of the IEP team to

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review the pupil’s IEP. During the period of any exclusion from bus transportation, the pupil must be provided with an alternative form of transportation at no cost to the pupil or parent in order to be assured of having access to the required special education instruction and services. EC 48195.5:

EC Section 489515.1(C) reads: “If an individual with exceptional needs is excluded from school bus transportation, the pupil is entitled to be provided with an alternative form of transportation at no cost to the pupil or parent or guardian provided that transportation is specified in the pupil’s individualized education program.”

Summary

The LEA providing special education is required to adopt policies for the programs and services it operates, consistent with agreements with other districts or county offices stated as part of the local plan for special education. These policies describe how special education transportation is coordinated with regular home to school transportation and set forth criteria that are consistent with these guidelines for meeting the transportation needs of pupils receiving special education. Transportation policies and an overview of all available transportation resources should be provided to all administrators, IEP team leaders, case managers, chairpersons and other IEP team members who are authorized to recommend the type of special education service and the location where the service will be provided.

The specific needs of the pupil must be the primary consideration when an IEP team is determining transportation services. The combination of planning and providing information to IEP teams maximizes appropriate placements and efficient cost-effective transportation systems.

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

Reference Number:	NA
Document Title:	Mendocino County SELPA Procedures Manual - Chapter 8 - Special Education Programs and Services - Related Services
Document Location:	Mendocino County SELPA Office
	SPECIALLY DESIGNED VOCATIONAL EDUCATION AND CAREER DEVELOPMENT Personnel providing vocational education services shall be qualified.

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Description:

Specially designed vocational education and career development for individuals with disabilities regardless of severity of disability may include:

- (1) Providing prevocational programs and assessing work-related skills, interest aptitudes, and attitudes;
- (2) Coordinating and modifying the regular vocational education program;
- (3) Assisting individuals in developing attitudes, self- confidence, and vocational competencies to locate, secure, and retain employment in the community or sheltered environment, and to enable such individuals to become participating members of the community;
- (4) Establishing work training programs within the school and community;
- (5) Assisting in job placement;
- (6) Instructing job trainers and employers as to the unique needs of the individuals;
- (7) Maintaining regularly scheduled contact with all workstations and job-site trainers; and
- (8) Coordinating services with the Department of Rehabilitation, the Department of Employment Development and other agencies as designated in the IEP.

TRANSITION SERVICES

The term “transition services’ means a coordinated set of activities for a child with a disability that:

- is designed to be within a results-oriented process, that is focused on improving the academic and functional achievement of the child with a disability to facilitate the child’s movement from school to post-school activities, including postsecondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation;
- is based on the individual child’s needs, taking into account the child’s strengths, preferences, and interests; and
- includes instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and, when appropriate, acquisition of daily living skills and functional evaluation.

15. Assurance of full educational opportunity:

Reference Number: NA

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Document Title:	<input type="text" value="Mendocino County SELPA LEA Assurances"/>
Document Location:	<input type="text" value="Mendocino County SELPA Office"/>
Description:	<input type="text" value="FULL EDUCATIONAL OPPORTUNITY (20 USC § 1412 (a)(2))
It shall be the policy of this LEA that all pupils with disabilities have access to educational programs, nonacademic programs, and services available to non-disabled pupils."/>

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

Reference Number:	<input type="text" value="NA"/>
Document Title:	<input type="text" value="Annual Budget and Services Plan"/>
Document Location:	<input type="text" value="Mendocino County SELPA Office"/>
	<input type="text" value="ANNUAL BUDGET AND SERVICES PLAN

California Education Code (EC) Section 56205 requires the submission of Annual Budget and Service Plans that are adopted at public hearings held by the special education local plan area (SELPA). These plans must identify expected expenditures and include a description of services, the physical location of the services, and must demonstrate that all individual with exceptional needs have access to services and instruction appropriate to meet their needs as specified in their individualized education program.

Annual Budget Plan
Each SELPA Local Plan requires a budget plan component to be developed/updated annually. Each SELPA will adopt the Annual Budget Plan according to the governance and policy making process established in their local plan. The completion of the process will be documented by evidence that a SELPA-level public hearing has been held to adopt the Annual Budget Plan.

The Annual Budget Plan may be revised during any fiscal year according to the policy making process established, pursuant to EC Section 56205 subparagraph (D) and (E) of paragraph (12) of subdivision (a) and consistent with subdivision (f) of EC sections 56001"/>

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Description:

and 56195.9.

The Annual Budget Plan shall identify expenditures for all items required by this part, which shall include, but not be limited to, the following:

- (A) Funds received in accordance with Chapter 7.2 (commencing with EC Section 56836)
- (B) Administrative costs of the plan
- (C) Special education services to pupils with severe disabilities and low-incidence disabilities
- (D) Special education services to pupils with non-severe disabilities
- (E) Supplemental aids and services to meet the individual needs of pupils placed in regular education classrooms and environments
- (F) Regionalized operations and services and direct instructional support by program specialists in accordance with Article 6 (commencing with EC Section 56836.23) of Chapter 7.2
- (G) The use of property taxes allocated to the SELPA pursuant to EC Section 2572

Notice of the SELPA-level public hearing shall be posted in each school at least 15 days prior to the public hearing.

Annual Service Plan
Each SELPA Local Plan requires a service plan component to be developed/updated annually. Each SELPA will develop and adopt the Annual Service plan according to the governance and policymaking process established in their local plan. The completion of the process will be documented by evidence that a SELPA-level public hearing has been held to adopt the Annual Service Plan.

Nature of Services: Describe the full continuum of service options to be provided within the SELPA assuring access to appropriate instruction and services for all students with disabilities from birth to twenty-two years of age, including children with low-incidence disabilities.

Description of full continuum of service options is done by completing form ASP-01a, California Special Education Management Information System (CASEMIS) Service Descriptions, marking the appropriate box if the SELPA adopted, modified, or is not currently utilizing the Special Education Service Category Descriptions as written in CASEMIS. If the CASEMIS descriptions are modified or customized specific to the SELPA's program, or the SELPA offers programs/services not described in CASEMIS, a written description of the program/service must be submitted with the Annual Service Plan (form ASP-01b). Note that the use of CASEMIS Code 900, Other Special Education/Related Services, requires further explanation in order to be considered acceptable. Use for ASP-01b for this purpose.

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Physical Location of Services: The Physical Location of Services Plan may be printed from the CASEMIS system as a report, using most recent December data, and adjusted for any foreseeable changes. Notice of the SELPA-level public hearing shall be posted in each school district at least 15 days prior to the public hearing. A copy of the Public Hearing Notice must be submitted with the Annual Service Plan. A complete copy of the SELPA Local Plan, including policies and procedures and the Annual Budget and Service Plans, must be held on file in the SELPA office and at each participating local educational agency (LEA), and be accessible to any interested party.

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

Reference Number:

Document Title:

Document Location:

Description:

The duties of the program specialist may include:

1. Assist Resource Specialists, Designated Instruction and Services Instructors, and Special Class Teachers in the planning and implementation of individual education programs for children whose disability is in the area of the expertise of the Program Specialist;
2. Coordinate curricular resources in a manner to make them available and effective for personnel who are in need of the resources;
3. In conjunction with the Policy Council Steering Committee and the SELPA Executive Director, assess program effectiveness to promote the program for individuals with exceptional needs;
4. Participate in school staff development, research, program development, and innovation or special methods and approaches;
5. Provide coordination, consultation, and program development in areas to which the program specialist is assigned;
6. Under the direction of the SELPA Executive Director, assure pupils have full educational opportunity, regardless of the district of residence in the SELPA;
7. Serve on assessment teams and IEP teams as provided for in this plan;
8. Assist LEA's with non-public, non-sectarian and state school placements when requested, and
9. Assist in implementation of state and local compliance and program reviews.

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Special Education Local Plan Area Services

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

Reference Number:

Document Title:

Document Location:

Early Start – Ages 0 - 3

Mendocino County SELPA is the contract agency for the Lake and Mendocino Early Start Program. It is the SELPA philosophy that early education programs for infants identified as individuals with exceptional needs, which provide educational services with active parent involvement, can significantly reduce the potential impact of many “disabling” conditions and positively influence later development when the children reach school age.

This program, established under the federal Part C of the Individuals with Disabilities Education Act (IDEA), requires that services be provided in a coordinated manner among participating agencies and encourages families to participate with a team of professionals in the decisions affecting their child.

Agencies involved in Mendocino County Early Start are Mendocino County Office of Education, Redwood Coast Regional Center, Mendocino County Department of Health and Human Services (Public Health, Mental Health and Social Services).

An interagency agreement and local interagency coordination plan have been developed which outline the processes for implementing coordinated interagency services to infants/toddlers and their families. This interagency process includes: childfind, identification and referral, evaluation and assessment, development of and Individualized Family Services Plan (IFSP), provision of early intervention services including specialized services for children with solely a low incidence disability, service coordination and transition at age three and implementation of IFSPs.

An emphasis for Mendocino County Early Start is the enhancement of parent to parent support, parent-professional collaboration and the development of parent binders and resource libraries.

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Description:

Preschool Education – Ages 3 - 5

Services are provided starting at age three years to children as determined by the IEP team to be eligible based on CCR Title 5, Section 3030. A school-based program is provided for children on a daily basis to promote development and growth in areas of assessed weakness. A full continuum of Designated Instructional Services is available to each child based on the developed IEP. These services include, but are not limited to, speech and language therapy, adapted physical education, health service and counseling, occupational and/or physical therapy, mobility training, visually impaired services, and parent counseling. Children from bilingual homes are assessed their primary language.

Early education services for these preschool children may be provided to individuals or small groups. Districts within the SELPA offer a wide range of programs and services, ranging from home-based services and parent consultation to group programs and full inclusion preschools.

Inclusion opportunities are provided when appropriate for those children who can benefit as determined by the IEP team. Close communication and coordination are provided with the assistance of instructional aides to assure a successful and integrated plan.

The preschool staff interacts with community agencies serving children with exceptional needs in an effort to coordinate services for the child and his or her family. Agencies include Mendocino County State Preschool Consortium, Redwood Coast Regional Center, California Children’s Services, Head Start, Mendocino County Department of Health and Human Services (Mental Health, Public Health, Social Services) and Child Advocacy groups.

Parents are provided with opportunities to learn and share information related to child development, parenting skills, disabilities, and special education. Regularly scheduled meetings are held to assist the parent in becoming a successful partner, supportive of the school program.

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:

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Reference Number:

Document Title:

Document Location:

Description: E.C. 56205(b)(4)"/>

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:

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Document Location:

Description:

X. Dispute Resolution
Disagreements among LEA's, LEA's and the Administrative Unit, LEA's and/or the Administrative Unit and the SELPA regarding the distribution of funding, responsibility for service provision and any other governance activities specified in the Local Plan will be resolved at the lowest level possible in the governance structure outlined in the Local Plan. The Superintendents' Policy Council is considered to be the 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. The Superintendents' Policy Council strongly supports principles and practices of alternative dispute resolution (ADR), when appropriate, to facilitate reaching of agreements. If an LEA disagrees with a decision or practice of another agency or the SELPA office, 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 direct assistance of the SELPA Administrator, or his/her designee, or Chair of the Superintendents' Policy Council or the services of a neutral mediator from outside the SELPA. In the even the issue has not been resolved, either party may request review by a special subcommittee appointed by the Policy Council. If either party disagrees with the recommendation of the subcommittee, either party may request that the issue be placed on the Superintendents' Policy Council agenda. The decision of the Superintendents' Policy Council shall be final.
E.C. 56205(b)(5)

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:

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Description:

Department of Education response to a request for guidance from the Advisory Commission on Special Education (ACSE) January 28, 2011) Specialized Academic Instruction (SAI) is a way of delivering instructional services to students with disabilities. SAI is a service delivery model, NOT a program. SAI is used to describe instructional services on the Individualized Education Program (IEP). The definition of SAI comes from the IDEA federal regulations (August 2006), Federal Register/Vol. 71, No. 156/Monday, August 14, 2006/ Rules and Regulations, page 46761. "Specialized Academic Instruction": Adapting, as appropriate to the needs of the child with a disability the content, methodology, or delivery of instruction to ensure access of the child to the general curriculum, so that he or she can meet the educational standards within the jurisdiction of the public agency that apply to all children. (Code of Federal Regulations, Title 34, Section 300.39(b)(3)). SAI is interchangeable with "Specially Designed Instruction" in the federal regulations. In 2006-2007, the California Department of Education (CDE) added the SAI designation to the CASEMIS data collection system. In CASEMIS, the SAI data field describes the instructional time a student is removed from the regular class of less than 21 or more than 60 percent of the school day. Some service delivery issues and guidance are given in the memorandum from Jack O'Connell, dated March 27, 2009 located at the CDE web page <http://www.cde.ca.gov/sp/se/sspiofclmem.asp> "In a desire to close the achievement gap and meet federal and state requirements, many districts and schools are implementing the latest research-based practices that ensure students are successful in school. As a means to effectively utilize personnel, some special education teachers are being asked to instruct students with and without an Individualized Education Program (IEP). If there are changes occurring in the manner of how instructional programs are delivered, including special education services, it is necessary that these practices remain compliant with federal and state laws and regulations. This letter provides clarification about delivering services to students with disabilities and how to effectively implement laws and regulations to meet compliance requirements." Flexible Service Delivery Models: All students with disabilities receive special education services within one or more of the following collaborative models depending on their need:

- With consultative/collaborative support in a general education classroom
- In a co-teaching model

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- In a school-wide intervention model
- In core with supplemental special education support model
- In intensive core program served by a qualified specialist
- Intensive special education support in more than one core area

A full continuum of service is required by the IDEA and California Education Code. 30 EC 56360 – Continuum of Program Options; Availability.

56360. Each special education local plan area shall ensure that a continuum of program options is available to meet the needs of individuals with exceptional needs for special education and related services, as required by the Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.) and federal regulations relating thereto. Note: EC 5360 does not specify what is to be included in the continuum. Rather, the variety and range of curricular choices to ensure that a continuum of program options is available are local determinations.

Specialized Academic Instruction & Related Services: (from <https://www.hartdistrict.org/apps/pages/special-ed-sai>)

Specialized Academic Instruction (SAI) is determined by the IEP team and is derived from assessment information, data collected, and goals/objectives developed in the student's area(s) of need. To ensure that students who receive special education services have appropriate access to the general curriculum, the team may determine supports needed by the student to make educational gains including adapting the content, approach or delivery of instruction,. Services may be provided to students in a regular classroom, in a separate classroom, in a special day classroom (SDC), or a combination of any of the aforementioned. Based on the special education student's specific needs, the IEP team may determine specific subjects, duration and location for general education mainstreaming as well as determine services the student receives. Each student's educational needs are unique; thus, SAI and services may vary greatly between students.

The Individuals with Disabilities Education Act (IDEA) requires for all students with disabilities to be educated in the least restrictive environment (LRE) that is most appropriate for them. LRE is typically the educational setting that is most similar to the setting/program attended by general education students.

Intensive Individual Instruction: IEP Team determination that student requires additional support for all or part of the day to meet his or her IEP goals.

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

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evaluating whether the student is making appropriate educational progress:

Reference Number:

Document Title:

Document Location:

Description:

Non-Public Schools (NPS) & Non-Public Agencies (NPA) Monitoring Policy:
It is the responsibility of each member Local Educational Agency (LEA) of the Mendocino County SELPA to use the appropriate master contract for services provided by NPSs and NPAs. The SELPA will maintain updated NPS and NPA master contracts. LEAs shall complete Individual Services Agreement(s) based on individual student need and in accordance with master agreement
Reference: EC 56205, 56365, 56366, 56366.1-56366.12

Procedures:

1. Ensuring Monitoring Requirements Are Met For NPS/NPA Individualized Education (IEP)/Individualized Family Service Plan (IFSP):
Each Local Education Agency (LEA) that contracts with a NPS or NPA shall assure the evaluation of the service provision of its pupil(s) on an annual basis as part of the annual IEP/IFSP review. The LEA shall also assure the review and monitoring of the master contract, the Individual Services Agreement (ISA), and the IEP/IFSP to ensure that all services agreed upon and specified in the IEP/IFSP are provided.
2. Ensuring Monitoring Requirements Are Met For NPS/NPA Staffing:
Each LEA that contracts with a NPS or NPA shall assure the evaluation of staffing qualifications and staffing levels required set forth in the master contract. At least on an annual basis, as part of the renewal of the master contract process, staff qualifications will be reviewed. Review will also occur when new staff are added. The LEA shall review and document these monitoring efforts of the master contract to ensure that all services agreed upon and specified in the IEP/IFSP are provided by highly qualified staff.
3. Evaluating Progress of Students in NPS/NPA IEP/IFSP Service:
NPSs are required by the master contract and the IEP/IFSP to annually evaluate pupils to determine if they are making appropriate educational progress. The LEA shall review the evaluations or reports of progress

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completed by the NPS to ensure that they were appropriate and valid for measuring pupil progress. The NPA services have similar requirements. The LEA will maintain similar monitoring requirements. The LEA may choose to administer additional assessments as necessary, with parent consent, to determine whether the pupil is making appropriate educational progress. In addition, an IEP/IFSP review may also be requested at any time to review student progress.

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:	<input type="text" value="NA"/>
Document Title:	<input type="text" value="Mendocino County SELPA Local Plan"/>
Document Location:	<input type="text" value="Mendocino County SELPA Office"/>
Description:	