

Butte County

Special Education Local Plan Area

LOCAL PLAN

Effective: July 1, 2003

Revised: July 1, 2008

Revised: July 1, 2010

Revised: July 1, 2011

Butte County Special Education Local Plan Area

PARTICIPATING MEMBERS OF THE BUTTE COUNTY SELPA

Achieve Charter School

Butte County Office of Education

Bangor Union School District

Biggs Unified School District

Chico Unified School District

Chico Country Day School (SELPA LEA Charter)

Durham Unified School District

Feather Falls Union School District

Golden Feather Union School District

Gridley Unified School District

Manzanita Elementary Union School District

Nord Country School (SELPA LEA Charter)

Oroville City Elementary Union School District

Oroville Union High School District

Palermo Union School District

Paradise Unified School District

Pioneer Union School District

Thermalito Union School District

BUTTE COUNTY SPECIAL EDUCATION LOCAL PLAN AREA

DESCRIPTION OF GOVERNANCE AND ADMINISTRATION OF THE LOCAL PLAN

Revised July 1, 2011

GOVERNANCE

EC 56195; 56195.1(c); 56195.5(a); 56195.5(b); 56205(a)(12)(D)

The local education agencies (LEAs) within Butte County and the Butte County Office of Education join together pursuant to Education Code Section 56195 to adopt a plan in accordance with Education Code Section 56200 to assure equal access to special education and services for all eligible persons with disabilities residing in the geographic area served by these agencies, hereafter known as the Butte County Special Education Local Plan Area (Butte County SELPA). In adopting the Local Plan, each participating agency agrees to carry out the duties and responsibilities assigned to it within the plan. Participating agencies may enter into additional contractual arrangements to meet the requirements of applicable federal and state laws.

The Butte County Office of Education and Butte County Board of Education shall serve as the Administrative Unit (AU) for the SELPA and perform the following functions.

- The AU is designated to receive and distribute special education funds according to the locally approved Special Education Funding Allocation Plan.
- The AU employs staff to support SELPA functions.
- The AU oversees the coordination of the Local Plan.

In adopting the Local Plan, each participating LEA agrees to carry out the duties and responsibilities assigned to it within the plan. Each district governing board and the Butte County Office of Education shall have authority over the programs it directly maintains consistent with the local plan. Regional programs operated on behalf of the SELPA are subject to oversight by the SELPA Governing Board according to SELPA policies and procedures. Each agency shall provide special education and services to all eligible students within its boundaries, including students attending charter schools where a LEA of the SELPA has granted that charter. Charter schools with LEA status in the SELPA are responsible for special education services according to the provisions of the SELPA's Charter School policy. In addition, each agency shall cooperate to the maximum extent possible with other agencies to serve individuals with disabilities who cannot be served in the LEA of residence program. Such cooperation ensures that a range of program options is available throughout Butte County. The county office or district governing boards may enter into agreements to provide service to pupils in special education programs maintained by other districts or counties and may include within their special education programs pupils residing in other districts or counties.

I. LEA Governing Boards

EC 56205 (a)(12)(D)(i)

The Governing Boards of LEAs in Butte County shall adopt policies and procedures for special education programs and services provided in the Butte County SELPA. Such policies and procedures shall include, but not be limited to, all areas as required by federal and state statutes.

Responsibilities of the governing boards include, but are not limited to:

- Participate in the governance of the Butte County SELPA by empowering their superintendent or designee to act as their agent in the approval and amendment of policies and procedures.
- Approve the Local Plan and revisions to the Local Plan for the Butte County SELPA.
- Ensure compliance with all elements of the local Plan.
- Cooperate with the governing boards of participating Local Education Agencies to assure the availability of appropriate services to eligible individuals regardless of district of residence.
- Provide suitable housing for special education programs maintained by the Local Education Agency.
- Operate local programs consistent with state and federal law and regulations and policies and procedures approved for the Special Education Local Plan Area. *EC 56195.5 (a)*
- Annually review and approve special education programs and services of the Local Education Agency.

BUTTE COUNTY SPECIAL EDUCATION LOCAL PLAN AREA

DESCRIPTION OF GOVERNANCE AND ADMINISTRATION OF THE LOCAL PLAN

Revised July 1, 2011

- Develop and adopt policies for the operation of the Local Education Agency, which are consistent with those of the Special Education Local Plan Area, and which promote the concept to ensure access to appropriate programs and services for all children with disabilities.
- Appoint members to the Butte County Community Advisory Committee.
- Review formal complaints forwarded by the respective LEA superintendents as outlined in the district's Uniform Complaint Procedures.
- Address questions and concerns of the public, including parents or guardians of individuals with exceptional needs who are receiving services under the Local Plan. *EC 56205 (b)(4)*

II. SELPA Governing Board

EC 56205 (a)(12)(A)

The governing body of the SELPA is the SELPA Governing Board. The SELPA Governing Board is comprised of a superintendent or designee from each of the following regions:

Region 1:	Chico Unified School District Chico Country Day School (SELPA LEA Charter) Nord Country School (SELPA LEA Charter)
Region 2:	Paradise Unified School District Achieve Charter School (SELPA LEA Charter)
Region 3:	Oroville City Elementary School District
Region 4:	Butte County Office of Education
Region 5:	Biggs Unified School District Durham Unified School District Gridley Unified School District
Region 6:	Manzanita Elementary School District Bangor Union Elementary School District Feather Falls Union Elementary School District Golden Feather Union Elementary School District Palermo Union Elementary School District Pioneer Union Elementary School District Thermalito Union Elementary School District
Region 7:	Oroville Union High School District

Note: The districts in regions 5 and 6 respectively will determine a method, and appoint one person to represent their region. It should be noted that SELPA Governing Board meetings are public meetings and, therefore, all Superintendents may attend. Only designated representatives, however, will be considered voting members of the Governing Board.

The SELPA Governing Board shall meet on a regular basis according to Brown Act requirements.

The chairperson for the SELPA Governing Board shall be elected according to the voting procedures described herein at the last meeting of the school year. The term of office shall be one year commencing on July 1 of the year elected. The chairperson may be re-elected for additional terms.

The chairperson shall develop a schedule of meetings and convene and preside over each meeting. If the chairperson is unable to attend a meeting, she/he shall designate another member of the governing board to chair the meeting. When necessary, the chairperson may call for special meetings or cancel regular meetings. The Chairperson will collaborate with the SELPA Administrator in the development of meeting agendas.

BUTTE COUNTY SPECIAL EDUCATION LOCAL PLAN AREA

DESCRIPTION OF GOVERNANCE AND ADMINISTRATION OF THE LOCAL PLAN

Revised July 1, 2011

Responsibilities of the SELPA Governing Board

The SELPA Governing Board members, under the direction of their respective elected Governing Boards, shall act to establish operational procedures and make decisions on any matters regarding the development, implementation, administration and operation of special education programs in accordance with the intent of the Local Plan. The SELPA Governing Board will perform the following functions:

- Review and approve needed modification of this agreement on behalf of all districts in the SELPA and adopt amendments to the permanent portion of the Local Plan on an “interim basis”, not to exceed one year. Amendments approved in this manner shall become permanent upon subsequent approval by LEA Governing Boards during the annual service and budget plan process and upon subsequent approval by the State Board of Education.
- Adopt SELPA policies and procedures on behalf of their respective LEA Governing Boards to ensure compliance with the Local Plan and state and federal laws and regulations.
- Assure equal access to programs and services for all individuals with exceptional needs within the SELPA regardless of their district of residence.
- Approve the annual services plan and annual budget plan.
- Adopt policies for the distribution of federal, state and local funds received for special education programs.
- Adopt agreements including, but not limited to, interagency agreements with Behavioral Health, California Children’s Services, Far Northern Regional Center and other public agencies that provide services to students with exceptional needs.
- Establish and promote the Community Advisory Committee. Encourage parental involvement through members of the CAC and consider requests and recommendations from the CAC and other parent groups.
- Provide assistance in the selection, direction, discipline and evaluation of the SELPA Administrator.

Voting by the Governing Board

The following votes are allocated to each region:

Region 1:	3 votes
Region 2:	1 vote
Region 3:	1 vote
Region 4:	1 vote
Region 5:	1 vote
Region 6:	1 vote
Region 7:	1 vote

Note: Regions 5 and 6 respectively will agree on a procedure and criteria that the regional representative will use to make decisions for his/her region.

Note: When voting, each region must cast its entire allocation as one vote.

In order for a motion to pass the item must receive at least five (5) yes votes and at least four (4) regions must vote in favor of the motion.

A quorum will consist of five (5) voting members in attendance. Superintendents have the option of designating a representative from their region when he/she is unable to attend a meeting of the SELPA Governing Board. The SELPA Director must be notified in advance. Once an agenda item has been voted on by the Governing Board, it may not be placed on the agenda again unless two thirds of the voting members present agree.

A charter school, chartered through one of the local governing boards of the SELPA that operates as its own LEA for special education purposes, shall be assigned to a region for representation on the SELPA Governing Board.

BUTTE COUNTY SPECIAL EDUCATION LOCAL PLAN AREA

DESCRIPTION OF GOVERNANCE AND ADMINISTRATION OF THE LOCAL PLAN

Revised July 1, 2011

Responsibilities of LEA Superintendents or Designees

EC 56205 (a)(12)(D)(i)

- Provide administrative leadership in support of the special education programs operated by the Local Education Agency. *EC 56195.5 (a)*
- Act as a liaison between the governing board of the Local Education Agency and the SELPA Governing Board, transmitting suggestions for the development and/or modification of policy to the SELPA Governing Board and vote upon such matters in accordance with direction from the Local Education Agency governing boards.
- Annually recommend to the governing board the modifications of Local Education Agency special education programs which are necessary to meet the changing needs of students, to be included in the annual service and budget plans submitted to the SELPA.
- Maintain and submit financial and program information to the administrative unit and SELPA as required.
- Establish and maintain all procedural safeguards as defined by the Individuals with Disabilities Education Act.
- Provide for the ongoing evaluation of special education programs operated by the Local Education Agency in accordance with guidelines established by the California Department of Education.
- Respond to all complaints and requests for due process relative to the provision of services to students with disabilities.

IV. SELPA Coordinating Council (SCC)

EC 56205 (a)(12)(D)(i)

The SELPA Coordinating Council (SCC) will consist of one Special Education Administrator or designee appointed by each local education agency and one parent member of the Community Advisory Committee. The SCC shall be an advisory body to the SELPA Administrator and the SELPA Governing Board.

The Council will meet regularly according to Brown Act requirements. Additional meetings may be scheduled as the needs of the Local Plan dictate. A quorum shall consist of a majority of members present. Each council member shall have one vote. Members may designate another person to attend in their place or designate another member to cast their vote. The SELPA Administrator must be notified in advance of the meeting in either case. Decisions will be based on a simple majority vote of the members present. A tie vote will be considered a negative vote.

The SELPA Administrator serves as the chairperson of the Council and is responsible for providing timely written notice of the meeting and agenda, minutes for the meeting and additional documentation as needed to provide for informed decision making.

Responsibilities of the SELPA Coordinating Council

- Advise the SELPA Administrator and the SELPA Governing Board regarding the status, accomplishments and needs of special education programs operated within the Local Education Agencies.
- Provide technical advice and assistance to the SELPA Administrator and the SELPA Governing Board.
- Work cooperatively to plan and coordinate educational programs and services for all individuals with exceptional needs within the SELPA.
- Provide leadership and support in the implementation of SELPA policies and procedures.
- Act as liaison with parents, community resources, other Local Education Agencies, the SELPA Administrator and the SELPA Governing Board.
- Gather, interpret, and report data regarding the implementation, administration and operation of the Local Plan.
- Advise the SELPA Administrator of the annual program needs of the Local Plan Area to be considered in the development of the annual budget plan.

BUTTE COUNTY SPECIAL EDUCATION LOCAL PLAN AREA

DESCRIPTION OF GOVERNANCE AND ADMINISTRATION OF THE LOCAL PLAN

Revised July 1, 2011

- Provide the SELPA Administrator with information relative to the development of the annual service plan.
- Recommend staff development activities for the SELPA.
- Recommend members for the Community Advisory Committee (CAC).

A charter school that has been approved to operate as an LEA for special education purposes shall be included in the SCC in the same manner as other LEAs.

VI. Other Committees

SELPA Committees are formed and appropriate members are appointed as needed to address current issues. Membership on these committees is designed to fulfill a particular task within a specified time frame. SELPA personnel or selected representatives will serve as chairpersons of committees. Examples of standing committees are as follows:

- **Low Incidence Review Committee**
This committee is comprised of one representative of each low incidence disability appointed by the Coordinating Council, the Assistive Technology Specialist and the SELPA Administrator or designee. The purpose of this committee is to review requests to access funds for low incidence services and equipment according to the Butte County SELPA Low Incidence Guidelines, and make recommendations to update the Low Incidence Guidelines.
- **Ratio Committee**
This committee is comprised of representatives from each LEA operating regional programs, the SELPA Administrator and two representatives from other LEAs selected by the SELPA Administrator. The purpose of this committee is to develop, review, and recommend staffing ratios for special education programs.

VII. Charter Schools

EC 56195.1(f); 56207.5

A Charter School that has been approved as a Local Education Agency shall participate in the governance of the SELPA and distribution of state and federal funds for special education in the same manner as other Local Education Agency members of the SELPA. More detailed information regarding the role of Charter Schools in the SELPA can be found in the SELPA Policies and Procedures Manual kept on file in the SELPA.

Administration

I. SELPA

A. SELPA Staff

EC 56205 (a)(12)(D)(ii)(l)

The LEA governing boards, through their representatives to the SELPA Governing Board, shall identify the need for and designate positions necessary for the operation of SELPA functions according to this policy.

The SELPA Governing Board shall be responsible for designating staff to support the functioning of the SELPA. In reviewing and approving the SELPA budget on an annual basis, the governing board designates staffing for the SELPA office.

SELPA staff shall be employed by the BCOE and shall be supervised and evaluated by the SELPA Administrator according to policy and practice. SELPA positions will be advertised and selected according to BCOE personnel procedures. Representatives from participating LEAs will be involved in the screening and

BUTTE COUNTY SPECIAL EDUCATION LOCAL PLAN AREA

DESCRIPTION OF GOVERNANCE AND ADMINISTRATION OF THE LOCAL PLAN

Revised July 1, 2011

interview process. Recommendations will be submitted to the Butte County Superintendent of Schools for approval.

B. SELPA Administrator

EC 56205(a)(12)(D)(ii)

The SELPA Administrator will coordinate the provision of all special education services of the SELPA and will administer those functions delegated to the SELPA pursuant to the local Plan adopted by the SELPA Governing Board.

Responsibilities of the SELPA Administrator

- Develop, implement, supervise, and provide for the evaluation of the Regionalized Services program.
- Serve as ex-officio member of the SELPA Governing Board to develop agendas, provide information and recommendations regarding the operation of the SELPA and report minutes of the meetings.
- Serve as the Chairperson of the SELPA Coordinating Council and assist Council members to implement each LEA's responsibility under the Local Plan.
- Function as a liaison to the CAC, assist in promoting community involvement and work closely with the Committee to develop recommendations to be presented to the Coordinating Council and the SELPA Governing Board.
- Prepare program and fiscal reports required of the SELPA by the state; manage the CASEMIS data system to comply with all state requirements. *EC 56205(a)(12)(D)(ii)(V)*
- Recommend employment of, assign, supervise and evaluate staff assigned to the SELPA Office.
- Provide assistance to the SELPA staff to carry out their responsibility to ensure that all pupils have access to full educational opportunity.
- Provide leadership in the development of the Local Plan and policies and procedures necessary to operation of the SELPA.
- Provide support to participating LEAs in their operation of special education programs and services.
- Monitor the appropriate use of federal, state and local funds allocated for special education programs. *EC 56205(a)(12)(D)(ii)(IV)*
- Schedule regular meetings of the SELPA Governing Board, Coordinating Council and Community Advisory Committee for policy and budget development, support and information sharing.
- Ensure the implementation of all federal, state and local responsibilities of the SELPA, including personnel development and procedural safeguards and other assurances.
- Assist LEAs in mediation and due process hearings.

It is the SELPA Administrator's responsibility to represent the interests of the SELPA as a whole without promoting any particular LEA interest over the interest of any other agency. In the event there are differences of opinions and/or positions on issues, the SELPA Administrator will assist the parties in reaching a reasonable solution of the issue(s).

Employment, Direction and Evaluation of the SELPA Administrator

The SELPA Governing Board shall be responsible for the selection, direction, discipline and annual evaluation of the SELPA Administrator. The SELPA Governing Board shall be assisted in the hiring and selection process by the Administrative Unit. The SELPA Administrator is subject to the AU's policies and procedures for day-to-day operations, but receives direction from, and is responsible to, the SELPA Governing Board. The SELPA Administrator is evaluated by the Chairperson of the SELPA Governing Board, the AU Superintendent and one other superintendent from the governing board. The evaluation is confirmed by a vote of the SELPA Governing Board.

BUTTE COUNTY SPECIAL EDUCATION LOCAL PLAN AREA

DESCRIPTION OF GOVERNANCE AND ADMINISTRATION OF THE LOCAL PLAN

Revised July 1, 2011

C. Regionalized Services and Operations

EC 56205(a)(12)(B)

The SELPA Administrator shall implement the Local Plan including the following regionalized services and operations: *EC 56836.23*

- Coordination of the special education local plan area and the implementation of the local plan.
- Coordinated system of identification and assessment.
- Coordinated system of procedural safeguards.
- Coordinated system of staff development and parent education.
- Coordinated system of curriculum development and alignment with the core curriculum.
- Coordinated system of internal program review, evaluation of the effectiveness of the local plan and implementation of a local plan accountability mechanism.
- Coordinated system of data collection and management.
- Coordination of interagency agreements.
- Coordination of services to medical facilities.
- Coordination of services to licensed children's institutions and foster family homes.
- Preparation and transmission of required special education local plan area reports.
EC 56205(a)(12)(D)(ii)(V)
- Assist and participate in Community Advisory Committee activities. The SELPA Administrator will act as liaison between the CAC and the SELPA Governing Board, sharing information and recommendations between the two groups.
- Coordination of transportation services for individuals with exceptional needs.
- Coordination of career and vocational education and transition services.
- Assurance of full educational opportunity.
- Monitor the appropriate use of federal, state and local funds allocated for special education programs.
EC 56205(a)(12)(D)(ii)(IV)
- Direct instructional program support.

D. Program Specialist Services

EC 56205(a)(12)(B); 56368

A program specialist is a specialist who holds a valid special education credential, clinical services credential, health services credential or a school psychologist authorization and advanced training and related experience in the education of individuals with exceptional needs. Program specialist services are provided by the SELPA and include the following services:

- Facilitation for the placement of students in programs outside their district of residence.
- Observation, consultation and assistance to special education teachers and support staff in accordance with LEA procedures.
- Program planning, coordination of curricular resources and the evaluation of the effectiveness of programs for children with disabilities.
- Provision of inservice training and technical assistance for regular and special education teachers, administrators, support staff and parents.
- Provision of coordination, consultation and program development in one or more specialized areas of expertise.
- Participation in and/or facilitation of IEP team meetings, upon request, when technical assistance is needed.
- Assistance in mediation, due process hearings and compliance proceedings by providing expertise and knowledge of special education law and regulations as well as programs and appropriate interventions available throughout the SELPA.
- Assistance in developing training for parents and members of the Community Advisory Committee.

BUTTE COUNTY SPECIAL EDUCATION LOCAL PLAN AREA

DESCRIPTION OF GOVERNANCE AND ADMINISTRATION OF THE LOCAL PLAN

Revised July 1, 2011

- Assistance as a liaison to various community agencies such as the Department of Behavioral Health, Far Northern Regional Center, California Children's Services, Probation Department, etc.
- Assure that pupils have full educational opportunity regardless of the district of residence.

Program specialist services shall be allocated to districts annually by mutual agreement of the SELPA Administrator and LEA Special Education Administrators. Allocations will be based on factors such as the number of staff available, SELPA priorities and LEA needs.

II. Local Plan Development

EC 56195.3(a), (b), (c)

The Butte County SELPA Local Plan is developed with input from the following groups:

- The SELPA Coordinating Council members consult with their bargaining units or school site staff to select general education and special education teachers who may want to serve on a subcommittee for the purpose of providing input to the development of the Local Plan and/or the Annual Service Plan and Annual Budget Plan.
- General and special education administrators are selected by their superintendents.
- Parent representatives are selected by the CAC. Parents may or may not be members of the CAC. Parents will be selected from the north and south regions of the county. The CAC voting representative to the SELPA Coordinating Council also serves on the Local Plan Committee.

The committee shall develop the local plan in accordance with EC Sections 56195.3 (b), (c) and (d). Prior to approval by the LEA governing boards, the local plan will be submitted to the CAC for their review.

Amendments to the Permanent Section of the Local Plan

EC 56195.9

The local plan will be updated/amended in cooperation with the local plan committee. The SELPA Governing Board may adopt amendments to the permanent portion of the local plan on an interim basis, not to exceed one school year. Amendments approved in this manner shall become permanent upon subsequent approval by all LEA governing boards and the State Board of Education.

Amendments to the Annual Service and Budget Plans

The governing boards of the participating LEAs agree to designate authority to the SELPA Governing Board to approve the SELPA-wide annual service and budget plans and any subsequent modifications.

III. Literacy

In order to improve educational results for students with disabilities, participating LEAs within the Butte County SELPA assure that all students who require special education will participate in the California Reading Initiative, just as all other students. In order to facilitate that effort, each district assures that special education instructional personnel will participate in and have full access to the following:

- District and county staff development in literacy and learning research that aligns with state adopted standards and frameworks; and
- District and county staff development in research based instructional strategies for teaching reading to a wide range of diverse learners.

BUTTE COUNTY SPECIAL EDUCATION LOCAL PLAN AREA

DESCRIPTION OF GOVERNANCE AND ADMINISTRATION OF THE LOCAL PLAN

Revised July 1, 2011

Our goal is:

- To increase the participation of students with disabilities in statewide assessments with and without accommodations or modifications as monitored by the IEP process; and
- To increase the percentage of children with disabilities who are literate; and
- To assure that students with disabilities attain higher standards in reading.

In order to reach these goals, each LEA assures that students with disabilities will have full access to:

- All required core curriculum, including state-adopted textbooks and supplementary textbooks; and
- District, county or state adopted texts and state adopted instructional materials and any necessary supports to obtain higher standards in reading.

V. Public / Parent Input

EC 56205(b)(4)

All LEA Boards within the SELPA have public comment sections on their agendas, as does the SELPA Governing Board.

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

VI. Dispute Resolution

EC 56205(b)(5)

If a dispute arises over the responsibility for service provision, governance activities, program transfer, or distribution of funding; or if a school district, including any charter school LEA, group of school districts, or the county office believes that an action taken by the SELPA Governing Board will create an undue hardship on the district(s) or county office; or that an action taken exceeds the authority granted the Governing Board within the Local Plan and /or state or federal statute, the aggrieved district(s) or county office may submit the matter for dispute resolution.

The goal of the SELPA is for disputes to be resolved at the lowest possible level. The first step in the dispute resolution process, therefore, is for the aggrieved party(s) to contact the other party(s) and attempt to resolve the matter informally. If the matter is not resolved at this level, the aggrieved party(s) may request formal mediation. Any request for mediation must be submitted in writing to the SELPA Director. If the issue is related to an action taken by the Governing Board, the request must be submitted within thirty (30) days of the action taken by the Governing Board. The written request must clearly identify the reason(s) for the request and the potential resolution(s) to the problem. If mediation is not successful, the aggrieved party(s) may request a review by an independent review panel of the results of the mediation. A request for review by an independent review panel must be submitted in writing to the SELPA Director within thirty (30) days of the completion of the mediation process, and must include the reason(s) for the request and the potential resolution(s) to the problem.

A more detailed description of the procedures related to dispute resolution can be found in the SELPA Policies and Procedures Manual kept on file in the SELPA.



**SPECIAL EDUCATION LOCAL PLAN AREA
LOCAL EDUCATION AGENCY (LEA) ASSURANCES**

1. FREE APPROPRIATE PUBLIC EDUCATION (20 USC § 1412 (a)(1))

It shall be the policy of this LEA that a free appropriate public education is available to all children residing in the LEA between the ages of three through 21 inclusive, including students with disabilities who have been suspended or expelled from school.

2. 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.

3. CHILD FIND (20 USC § 1412 (a)(3))

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 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. A practical method is developed and implemented to determine which students with disabilities are currently receiving needed special education and related services.

4. INDIVIDUALIZED EDUCATION PROGRAM (IEP) AND INDIVIDUALIZED FAMILY SERVICE PLAN (IFSP) (20 USC § 1412 (a)(4))

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 revisions.

5. LEAST RESTRICTIVE ENVIRONMENT (20 USC § 1412 (a)(5))

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 class, separate schooling, or other removal of a student with disabilities from the general educational environment, occurs only when the nature or severity of the disability of the student is such that education in general classes with the use of supplemental aids and services cannot be achieved satisfactorily.

6. 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.

7. EVALUATION (20 USC § 1412 (a)(7))

It shall be the policy of this LEA that a reassessment of a student with a disability shall be conducted at least once every three years or more frequently, if appropriate.

8. CONFIDENTIALITY (20 USC § 1412 (a)(8))

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, TRANSITION (20 USC § 1412 (a)(9))

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 § 1412 (a)(10))

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.

11.LOCAL COMPLIANCE ASSURANCES (20 USC § 1412 (a)(11))

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 Individuals with Disabilities Education Act, the Federal Rehabilitation Act of 1973, Section 504 of Public Law and the provisions of the California Education Code, Part 30.

12.INTERAGENCY (20 USC § 1412 (a)(12))

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.

13.GOVERNANCE (20 USC § 1412 (a)(13))

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 Educational Agency.

14. PERSONNEL QUALIFICATIONS (20 USC § 1412 (a)(14))

It shall be the policy of this LEA to ensure that personnel providing special education related services meet the highly qualified 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 highly qualified or to prevent a parent from filing a State complaint with the CDE about staff qualifications.

15. PERFORMANCE GOALS & INDICATORS (20 USC § 1412 (a)(15))

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.

16. PARTICIPATION IN ASSESSMENTS (20 USC § 1412 (a)(16))

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/FEDERAL FUNDS (20 USC § 1412 (a)(17))

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; will be used to supplement and not to supplant state, local and other Federal funds those funds.

18. MAINTENANCE OF EFFORT (20 USC § 1412 (a)(18))

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 law and regulations.

19. PUBLIC PARTICIPATION (20 USC § 1412 (a)(19))

It shall be the policy of this LEA that public hearings, adequate notice of the hearings, and an opportunity for comment available to the general public, including individuals with disabilities and parents of children with disabilities are held prior to the adoption of any policies and/or regulations needed to comply with Part B of the IDEA.

20. RULE OF CONSTRUCTION (20 USC § 1412 (a)(20))

(Federal requirement for State Education Agency only)

21. STATE ADVISORY PANEL (20 USC § 1412 (a)(21))

(Federal requirement for State Education Agency only)

22. SUSPENSION/EXPULSION (20 USC § 1412 (a)(22))

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.

23. ACCESS TO INSTRUCTIONAL MATERIALS (20 USC § 1412 (a)(23))

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.

24. OVERIDENTIFICATION AND DISPROPORTIONALITY (20 USC § 1412 (a)(24))

It shall be the policy of this LEA to prevent the inappropriate disproportionate representation by race and ethnicity of students with disabilities.

25. PROHIBITION ON MANDATORY MEDICINE (20 USC § 1412 (a)(25))

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.

26. DISTRIBUTION OF FUNDS (20 USC § 1411(e),(f)(1-3))

(Federal requirement for State Education Agency only)

27. DATA (20 USC § 1418 a-d)

It shall be the policy of this LEA to provide data or information to the California Department of Education that may be required by regulations.

28. READING LITERACY (State Board requirement, 2/99)

It shall be the policy of this LEA that in order to improve the educational results for students with disabilities, SELPA Local Plans shall include specific information to ensure that all students who require special education will participate in the California Reading Initiative.

29. CHARTER SCHOOLS (E.C. 56207.5 (a-c))

It shall be the policy of this LEA that a request by a charter school to participate as a local educational agency in a special education local plan area may not be treated differently from a similar request made by a school district.

In accordance with Federal and State laws and regulations,

(insert SELPA/District name)

certifies that this plan has been 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 herein represented will meet all applicable requirements of state and federal laws, regulations and state policies and procedures, including compliance with the Individuals with Disabilities Education Act, 20 USC 1400 et.seq, and implementing regulations under 34 CFR, Parts 300 and 303, 29 USC 794, 705 (20), 794- 794b, the Federal Rehabilitation Act of 1973, as amended, and the provisions of the California Education Code, Part 30 and Chapter 3, Division 1 of Title V of the California Code of Regulations.

Be it further resolved, the LEA superintendent shall administer the local implementation of procedures, in accordance with state and federal laws, rules, and regulations, which will ensure full compliance.

Furthermore, the LEA superintendent ensures that policies and procedures covered by this assurance statement are on file at the Local Education Agency and the SELPA office.

Adopted this 14 day of December, 2001.

Yeas: 7 Nays: 0

Signed: Casuy Taylor

Title: Superintendent / Principal

Superintendent, Secretary to the Board of Education (or use appropriate titles)