

LOCAL PLAN

Section B: Governance and Administration

SPECIAL EDUCATION LOCAL PLAN AREA



California Department of Education

Special Education Division

January 2020

SELPA San Mateo County SELPA

Fiscal Year 2020-21

B. Governance and Administration

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

Participating Local Educational Agencies

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

Special Education Local Plan Area—Local Plan Requirements

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

The San Mateo County Special Education Local Plan Area is a multi-district SELPA comprised of thirty local educational agencies and the San Mateo County Office of Education (SMCOE) located within the geographical boundaries of San Mateo County, California.

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 governance structure of the SELPA is established by agreement among the governing boards of the member LEAs. It consists of the SELPA Governing Board, which receives input via the SELPA Administrator from the LEA Members, fiscal staff from each LEA, and the Community Advisory Committee (CAC). The SELPA Administrator may convene additional ad hoc committees as appropriate. The SELPA Administrator is responsible for coordination of the SELPA and implementation of the Local Plan.

The role of the SELPA is to provide technical assistance and advisory support to member LEAs, ensuring compliance with components of this Local Plan and providing liaison services between LEAs and the California Department of Education. SELPA adheres to all legally required duties as per education code, but does not have supervisory, managerial or directive authority over any of the LEA members.

The SELPA, via the Governing Board, ensures guidance, regional policies, and resources are available to member LEAs. LEAs maintain operational and decision making autonomy while utilizing the SELPA and Governing Board support to ensure the full continuum of educational opportunity and access to shared resources are available to participants in our SELPA.

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DESCRIPTION OF GOVERNANCE

In accordance with this provision the San Mateo County SELPA has developed a tiered policy development and approval process. The following description of the governance structure is in operation at this time and shall continue to be the structure within the SELPA.

LEA Special Education Administrators

The LEA Special Education Administrators are comprised of representatives from each LEA and the County Office. The LEA Administrators will propose and review activities and policies for the operation of LEA special education programs/services to the SELPA Administrator.

SELPA Governing Board

The SELPA Governing Board (SGB) has the responsibility of adopting necessary policies for the operation of SELPA activities, including, but not limited to, the implementation of the Local Plan for Special Education. The Governing Board by-laws, held locally at the SELPA and included in the procedural handbook, specifies the make-up and roles of the SGB.

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:

Education Code requires this Local Plan specify the responsibilities of each participating LEA Board and the county office of in the policymaking process, the responsibilities of the superintendents of each participating LEA and the county office of education in the implementation of the plan, and the responsibilities of LEA and county administrators of special education in coordinating the administration of the local plan.

The LEA Administrators will propose and review policies for the operation of special education programs/services to the SELPA Administrator. The LEA Administrators may prepare and recommend areas for policy development to SELPA Governing Board via recommendations provided by the SELPA Administrator. The LEA Administrators review each policy proposed based upon input from site administrators, general and special education teachers, other staff, school boards, the CAC, and other concerned community organizations as appropriate.

Each proposed policy shall be written and disseminated to the LEA Administrators prior to the SELPA Governing Board meeting at which recommendations may be made by the SELPA Administrator. The SELPA Administrator shall forward proposed policy to the SELPA Governing Board with the recommendation for approval, disapproval, or modification of proposed policy.

The SELPA Governing Board is responsible for reviewing each proposed policy with the recommendations from the LEA Administrators via the SELPA Administrator. It may initiate policy development as well.

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After final action by the SELPA Governing Board, a copy of each adopted policy is sent to every LEA Superintendent and the County Superintendent. Adopted policies also are disseminated at the Superintendents Association and to LEA Special Education Administrators.

SELPA policies, procedures and agreements necessary to support the implementation of the Local Plan, and as required by legal mandates, have been developed and are available upon request. Documents can be requested through the SELPA office and are included in the Procedural Handbook. Policies, procedures and agreements are recommendations for local policy and each LEA determines the method and extent of their application of agreements.

4. Clearly define the roles of the County Office of Education (COE) as applicable, and/or any other administrative supports necessary to coordinate and implement the local plan:

The SELPA Governing Board has designated the San Mateo County Office of Education as the Administrative Unit (AU) for San Mateo County SELPA. In this role, the San Mateo County Superintendent of Schools is the Responsible Local Agency Superintendent who signs when signatures are required on SELPA related documents as per education code.

The AU serves as the SELPA's fiscal agent and is responsible for implementing the following functions:

1. Receipt and distribution of special education funds for the operation of special education programs and services, pursuant to state and federal law.
2. Administrative support, including establishing and maintaining an office for SELPA staff.
3. Employment of SELPA staff to coordinate implementation of the local plan.
4. Prepare, review and sign appropriate SELPA documents, reports and submissions.
5. Ensure participation of fiscal agents of each LEA via the SMCOE convened CBO information meetings
6. Ensures that all relevant audit activities are completed by the SELPA and coordinated with LEAs

Additional responsibilities of the AU:

Serve as the employing agency for personnel who have responsibilities throughout the Local Plan Area. Such personnel will include, but not be limited to, the SELPA Administrator and SELPA Program Specialists/Coordinators, as well as administrative staff to support the SELPA operations. Employment of such personnel will be in accordance with personnel policies and practices of the San Mateo County Office of Education and procedural employment policies.

1. Employ appropriate classified personnel in support of the SELPA certificated staff.

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2. Provide suitable office space for employees of the SELPA.
3. Participate as a member of the SELPA Governing Board, in the annual evaluation of the SELPA Administrator.
4. Review and sign appropriate SELPA documents, reports and submissions

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

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

1. The charter school shall participate in state and federal funding for special education and the receive funding in the same manner as other LEAs of the SELPA as specified in the SELPA income distribution model.
2. The charter school shall participate in the governance of the SELPA in the same manner as other LEAs of the SELPA.

The addition of new members to the SELPA, as approved by the Governing Board, shall be followed by an amendment to the Local Plan. For additional information please refer to the Charter School guidance in the Procedural Handbook.

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 San Mateo County SELPA Community Advisory Committee serves the Special Education Local Plan Area and the Superintendent of the RLA in an advisory capacity, in accordance with Education Code 56190-56194 and procedures/by-laws specified in the San Mateo County SELPA CAC/RPC Parent Handbook and included in the governance section of the Procedural Handbook.

The CAC Advises the SELPA Administrator, the Superintendent of the RLA, the Special Education LEA Administrators and the SELPA Governing Board regarding the development, amendment and review of the Local Plan, programs and services.

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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:

San Mateo County coordinates regular meetings with the CAC throughout each year, and will include consultation about plan development during these sessions as appropriate. Additional input sessions may be scheduled based on local interest and/or need depending on the schedule of Local Plan adoption/amendment.

Each participating LEA member will have a LEA Special Education Administrator participate in plan development and regular consultations about implementation of the plan. Each LEA Special Education Administrator is requested to ensure that members of their LEA, including special education and regular education teachers and administrators are aware of the meetings dates for the CAC and the SELPA Governing Board at which local plan development or implementation will be discussed.

The Local Plan development includes presentation of information to the CAC about required components of a Local Plan and the required format for the Local Plan. During review and development of the Local Plan input sessions are coordinated to ensure members can provide input, feedback and advisory support to the SELPA and the SELPA Administrator. The Local Plan will be presented to the SELPA Governing Board where additional input and comment can be provided. A member of the CAC will sign the finalized Local Plan to assure that participation of the CAC was facilitated.

Members of the public, including parents or guardians of students with disabilities, may address questions or concerns to the governing boards of each LEA, the SELPA Governing Board, the SELPA Administrator and/or the CAC.

Outreach and recruitment of CAC members from LEAs and other interested community members is ongoing as part of the SELPA Local Plan implementation.

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

The SELPA Governing Board has designated the San Mateo County Office of Education as the Administrative Unit (AU) for San Mateo County SELPA, including fiscal tasks, and identified roles in relation to the SELPA Administrator and staff. The AU is the SELPA's fiscal agent and is responsible for implementing the following functions:

1. Receipt and distribution of special education funds for the operation of special education
2. Programs and services, pursuant to state and federal laws

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3. Administrative support, including establishing and maintaining an office for SELPA staff.
4. Employment of SELPA staff to coordinate implementation of the local plan.
5. Prepare, review and sign appropriate SELPA documents, reports and submissions.
6. Ensure participation of fiscal agents of each LEA via the SMCOE convened CBO information meetings
7. Ensures that all relevant audit activities are completed by the SELPA and coordinated with LEAs

RESPONSIBLE LOCAL AGENCY SUPERINTENDENT

The County Superintendent of Schools of San Mateo County shall be designated as the Responsible Local Agency (RLA) Superintendent.

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:

The San Mateo County SELPA has interagency agreements with the following agencies:

- a. San Mateo County Special Education Local Plan Area and California Children Services
- b. San Mateo County Special Education Local Plan Area and San Mateo County Head Start
- c. San Mateo County Special Education Local Plan Area and Golden Gate Regional Center for the Implementation of Part C, Individuals with Disabilities Education Act

Procedural Handbook contains detailed policies and procedures for coordination of supports, services and systems by the member LEAs of the SELPA. LEA members should refer to the Procedural Handbook for detailed information on implementation of local agreements when determining the responsibility of each participating agency in this Local Plan.

10. For multi-LEA local plans, specify:

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

The Special Education LEA Administrators, including the assigned administrator(s) for the COE programs, can propose and review policies for the operation of special education programs/ services to the SELPA Administrator. The LEA Administrators may prepare and recommend areas for policy development to SELPA Governing Board via recommendations provided by the

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SELPA Administrator. The LEA Administrators review each policy proposed based upon input from site administrators, general and special education teachers, other staff, school boards, the CAC, and other concerned community organizations as appropriate.

Each proposed policy shall be written and disseminated to the LEA Administrators prior to the SELPA Governing Board meeting at which a recommendation may be made by the SELPA Administrator. The SELPA Administrator shall forward proposed policy to the SELPA Governing Board with the recommendation for approval, disapproval, or modification of proposed policy.

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 San Mateo County Special Education Local Plan Area or from the Special Education Community Advisory Committee in its capacity. Policy considerations are to be dealt with in accordance with the following procedure:

1. The SELPA Governing Board is charged with the responsibility of adopting appropriate policies regarding the implementation of the Local Plan for Special Education. Each LEA superintendent by participation in the Superintendents' Association is charged with overseeing the operations of the Local Plan and implementing the policies adopted. Information is transmitted to the Special Education LEA Administrators for implementation of the directives and policies and for the development of procedures. The SELPA provides a coordinating function and serves as staff to each of the groups. Thus, a smooth and efficient operation of the administrative structure is achieved to assure a successful implementation of the Local Plan for Special Education in accordance with the policies adopted by the SELPA Governing Board.
2. Changes may need to occur in the implementation of the Plan as a result of a change in law or regulation or as a change in need of the San Mateo County special education population. The process for policy development shall be used in order to develop the necessary new procedures or policies.

Either level of the governance structure may establish a task force in order to study any area of concern or potential conflict. This study group may include representatives from the other levels of the governance structure when determined appropriate; facilitators and consultants may be used. The group shall discuss and explore the issue(s) raised and make recommendations to the larger group which raised the issue, subsequently following through the procedures outlined for policy development when appropriate.

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

As per ed code the Superintendent of the Local Education Agency will have the ultimate obligation to:

1. Provide leadership within the LEA in support of the special education programs.

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2. Represent the LEA as a member of the San Mateo County Superintendents' Association.
3. Recommend to the Governing Board, when appropriate, modifications of LEA special education programs necessary to meet the changing needs of the students, to be included in the required Annual Service and Budget Plans submitted to the SELPA.

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

In order to implement the Local Plan, the SELPA Administrator and Program Specialist/ Coordinators shall be considered "school officials and employees" in regards to access of student records. The SELPA assures that all regionalized operations and services are provided in accordance with the Local Plan. For the purposes of this and all other sections, the SMCOE is considered an LEA of the San Mateo County SELPA.

Per ed code the LEA will do the following:

1. Carry out the duties and responsibilities assigned to each LEA.
2. Annually review and approve special education programs and services of the LEA.
3. Operate local programs consistent with state and federal law, regulations, and policies and procedures approved by the SELPA.
4. Participate in the development and adoption of policies related to the governance and operation of the SELPA.
5. Develop and adopt policies for the operation of the LEA which are consistent with those of the SELPA, and which promote the concept to ensure access to appropriate programs and services for all children with disabilities.
6. Participate in the nomination, selection, and appointment of representatives to the CAC.
7. Provide suitable housing for special educational programs operated by the San Mateo County Office of Special Education Program pursuant to the SELPA Housing Policy.
8. Cooperate with the Superintendent of the RLA and the governing boards of participating LEAs to assure the availability of appropriate services to eligible individuals regardless of district of residence.
9. Approve the Local Plan developed for the San Mateo County SELPA prior to review by the State Department of Education.
10. Ensure LEA compliance with all elements of the Local Plan
11. Oversight of Nonpublic School placements, including annual evaluation of the placement as part of the annual IEP review

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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 procedure for the employment of the San Mateo County SELPA Administrator will be a process jointly agreed upon by the RLA Administrator and the SELPA Governing Board. It becomes the responsibility of the SELPA Governing Board to evaluate the SELPA Administrator.

The SELPA Administrator completes or participates in the evaluations of staff employed for the SELPA as per employment and evaluation procedures of the SMCOE - these procedures are held locally at SMCOE.

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

The SMCOE Fiscal Operations Services Division acts as the fiscal agent for the SELPA under the auspices of the AU. Information is presented regularly to member LEAs and their fiscal staff regarding budget allocation plans, distribution of funds and the resources available to the AU and LEAs within the SELPA. Details regarding distribution of funds within the SELPA can be found at the annually updated Annual Budget Allocation Plan held locally at the SELPA office and posted on the website.

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

The San Mateo County Office of Education operates specialized programs on behalf of member LEAs. Special education programs operated by the SMCOE include infant and toddler services under Early Start, Early Childhood Education programs, K-12 Programs, including transition age programming through age 22. These services and programs are operated under the SMCOE based on agreements and MOUs between SMCOE and individual LEAs and other agencies.

Each member LEA is responsible to operate special education programs necessary to meet the needs of their local population under the supervision of the LEA Special Education Administrator. In the event any LEA requires specialized programs beyond those offered within their LEA boundaries, LEAs may refer for program, placement or services to other member LEAs of the SELPA, including the SMCOE programs, or to appropriate special education programs operated by Non-Public Schools, Non-Public Agencies or other educational service providers as deemed appropriate by the LEA.

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

Each LEA is responsible to monitoring and auditing their local use of federal, state and local funds allocated for special education programs. The SELPA completes annual monitoring of the appropriate use of federal, state and local funds allocated for special education programs via required end of year reporting to CDE and via annual audit participation via the AU fiscal support received by the SELPA.

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

The SELPA coordinates the purchase and distribution of specialized equipment and services utilized by students with low incidence disabilities to ensure that each student who demonstrates need can receive these supports in their locally determined environment. The SELPA utilizes a group of volunteer specialists to review requests for low incidence equipment. Please refer to the Low Incidence Guidelines for additional information.

The Low Incidence Funds are organized and allocated by the SELPA Program Coordinator, at least one program specialist from a member LEA, and relevant Low Incidence specialists who may provide direct services to member LEA students. Other district personnel, as interested, may participate. The group is convened as determined necessary by the SELPA Administrator.

Funds for low incidence equipment, materials, and services are restricted to support of students in the following disability categories: hard-of-hearing, deaf, visual disability, severely orthopedically impaired, and deaf-blind. The funds are administered through the SELPA as specified in the SELPA Procedural Handbook and include receipt of funds, expenditure of funds, maintenance of an inventory, development of procedures for exchange of equipment, and reporting to the state.

Policies, Procedures, and Programs

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

SELPA Fiscal Year **1. Free Appropriate Public Education: 20 USC Section 1412(a)(1)**Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that a free appropriate public education is available to all children with disabilities residing in the LEA between the ages of 3 and 21, inclusive, including children with disabilities who have been suspended or expelled from school." The policy is adopted by the SELPA as stated:

☒ Yes ☐ No**2. Full Educational Opportunity: 20 USC Section 1412(a)(2)**Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No**3. Child Find: 20 USC Section 1412(a)(3)**Policy/Procedure Number:

Document Title:

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

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education and related services." The policy is adopted by the SELPA as stated:

☒ Yes ☐ No

4. Individualized Education Program (IEP) and Individualized Family Service Plan (IFSP): 20 USC Section 1412(a)(4)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that an IEP, or an IFSP that meets the requirements of 20 USC Section 1436 (d), is developed, implemented, reviewed, and revised for each child with a disability who requires special education and related services in accordance with 20 USC Section 1414 (d). It shall be the policy of this LEA that a of an IEP will be conducted on at least an annual basis to review a student's progress and make appropriate revisions." The policy is adopted by the SELPA as stated:

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

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:

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Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

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Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

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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 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:

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☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

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:

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☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that federal funds will not be used to reduce the level of local funds and/or combined level of local and state funds expended for the education of children with disabilities except as provided in federal laws and regulations." The policy is adopted by the SELPA as stated:

☒ Yes ☐ No

19. Public Participation: 20 USC Section 1412(a)(19)

Policy/Procedure Number:

Policy/Procedure Title:

Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

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:

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☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA to provide instructional materials to blind students or other students with print disabilities in a timely manner according to the state-adopted National Instructional Materials Accessibility Standard." The policy is adopted by the SELPA as stated:

☒ Yes ☐ No

22. Over-identification and Disproportionality: 20 USC Section 1412(a)(24)

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

23. Prohibition on Mandatory Medicine: 20 USC Section 1412(a)(25)

Policy/Procedure Number:

Document Title:

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

SELPA Fiscal Year **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:

Description:

2. Coordinated system of identification and assessment:

Reference Number:

Document Title:

Document Location:

Description:

3. Coordinated system of procedural safeguards:

Reference Number:

Document Title:

Document Location:

Description:

SELPA Fiscal Year

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

Reference Number:

Document Title:

Document Location:

Description:

Implementation of the San Mateo County Local Plan requires ongoing personnel development to provide appropriate learning experiences which promote understanding, increase skills and expertise, and ensure that federal and state law will be followed. Regionalized personnel development opportunities, will:

- * Provide participants with the necessary information, training and resources to ensure compliance with special education as required by federal and state law.
- * Provide the participants with opportunities to engage in activities that enhance personal and professional growth.
- * Meet the needs of personnel, school programs, parents, and students as they relate to the development and implementation of Individualized Education Programs for students with disabilities.

The CAC will hold regularly scheduled meetings to provide parent and guardian education based on developed or requested topics for parents attending the CAC meetings. Additional parent and guardian education may be coordinated at the local level with the LEA Special Education Administrator, partner agencies or LEA and SELPA staff.

Personnel Development funds are distributed to the LEAs in the SELPA. The San Mateo County SELPA facilitates planning and coordination for regionalized personnel development opportunities to members of the SELPA. San Mateo County SELPA personnel development offerings will adhere to the following policy requirements:

1. Will be available to representatives from general education, special education, administrators, support staff, paraprofessionals, parents, CAC representatives, NPS/NPA staff, agencies, classified, and private schools;
2. Will ensure working collaboration with all member LEAs, including the County Office of Education and Juvenile Court Schools, CAC, Head Start, Children's System of Care (Mental Health, Social Services, Probation, California Children's Services, Golden Gate Regional Center, and Department of Rehabilitation;
3. LEAs and educational representatives will ensure notification of

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personnel development opportunities and encourage and support attendance;
4. Will ensure that the annual personnel development plan is in alignment with federal, state and local identified needs so that school personnel are prepared to meet the needs of individuals with disabilities;
5. Will include training for new staff as well as provide continuing education opportunities based on the needs assessments.

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

Reference Number:

Document Title:

Document Location:

Curriculum Alignment and Participation

SELPA Office and Procedural Handbook

Description:

All students with special needs will have the opportunity to participate in the general education curriculum. It is basic to ongoing school success and essential for successful participation in society.

Without reading proficiency, students are excluded from full participation and opportunity to achieve academic success in school. In order to improve the educational results for students with disabilities, the LEAs of the San Mateo County SELPA ensure that all students who require special education will participate in the core curriculum, just as do all other students in our LEAs. In order to facilitate that effort, our LEAs assure that all special education instructional personnel will participate in staff development opportunities in the area of literacy, including:

1. Information about current literacy and learning research
2. Common Core State Standards
3. Increased participation of students with disabilities in statewide student assessments

4. Research based instructional strategies for teaching reading to a wide range of diverse learners in order to increase the percentage of children with disabilities who are literate.

LEA Administrators shall assure that all students with disabilities will have full access to:

1. All required core curriculum including state adopted and supplementary text books
2. Instructional materials and support in order that students with disabilities attain higher standards in reading

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Our goals are to increase the participation of students with disabilities in statewide student assessments, to increase the percentage of children with disabilities who are literate, and to assure that students with disabilities attain higher standards in reading.

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

Reference Number:

Document Title:

PROVISION FOR ONGOING REVIEW OF PROGRAMS 56195.7(c) (6)

Document Location:

SELPA Office and Procedural Handbook

Description:

The State has in place a system for review of the special education programs in the LEAs. It is the responsibility of the SELPA to support the delivery of effective programs and services in its LEAs, to support a continuum of appropriate service options, to improve the quality of the programs offered, and to participate in review processes, including the Quality Assurance Process, the Procedural Safeguards and Complaints processes and mediation and due process procedures.

The San Mateo County SELPA endeavors first to provide adequate information, resources, and support to all member LEAs, so that they may deliver compliant, quality services. Further, SELPA staff will, under the direction of the SELPA Governing Board and LEA Administrators in conjunction with CAC, participate in all State review processes and any local review processes to ensure that appropriate and necessary services are offered for all children with disabilities and to support continuous improvement of those services.

The SELPA will ensure that adequate information related to all areas of compliance is available to all member LEAs. The SELPA will ensure the availability of a full continuum of options, supplemental aids and services, and regionalized programs, for all children with disabilities, severe low incidence, nonsevere and early childhood.

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7. Coordinated system of data collection and management:

Reference Number:

Document Title:

DATA COLLECTION AND DEVELOPMENT OF MANAGEMENT INFORMATION SYSTEMS

Document Location:

SELPA Office and Procedural Handbook

Description:

California Department of Education requires of each SELPA the collection of specified data in such a manner as to be communicative with the Management Information System of the State - CALPADS.

The SELPA shall design and implement a data collection and storage system that will provide for the management and reporting of required data for state and federal systems. The SELPA will work with the State's Department of Education to collect and report all required data related to special education fiscal and program services, and to provide other pertinent information necessary for the operation of the SELPA.

The SELPA staff will support all LEAs in the SELPA in their collection and reporting of required data. The SELPA staff will strive to support a system which is responsive to the data needs of the LEA.

EC 56600 ensures that SELPAs participate in State efforts to provide for "ongoing comprehensive evaluation of special education programs" in order to "refine and improve programs, policies, regulations, guidelines, and procedures on a continuing basis and to assess the overall merits of these efforts". EC 56205(a) (12) (D) (ii) (iv)

The San Mateo County SELPA shall submit annually all information required by the California Department of Education, Special Education Division, in this effort, including statistical data, program information, and fiscal information related to the programs and services for children with disabilities in the San Mateo County SELPA.

The SELPA Administrator will be responsible to collect all data required by the California Department of Education related to special education budgets and services, and report them annually. SELPA staff will support all the members of the SELPA in the collection of data related to compliance, due process procedures, availability of services, key performance indicators, etc., as needed.

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8. Coordination of interagency agreements:

Reference Number:

Document Title:

Procedural Handbook

Document Location:

SELPA Office and Procedural Handbook

Description:

Provided for description only, the authoritative documentation is in the procedural handbook.

The SELPA will facilitate agreements for the provision and coordination of services by other public agencies that are funded to serve children with disabilities. The SELPA Administrator has the primary responsibility to negotiate agreements with other public agencies. All agreements negotiated with public agencies are to be approved by the LEA Administrators and submitted to the SELPA Governing Board for approval. These agreements include but are not limited to California Children's Services, Head Start/Early Start, Golden Gate Regional Center, and others as needed.

LOCAL INTERAGENCY AGREEMENTS

The San Mateo County SELPA has interagency agreements with the following agencies:

- California Children Services
- San Mateo County Early Start/Head Start
- Golden Gate Regional Center

9. Coordination of services to medical facilities:

Reference Number:

Document Title:

Procedural Handbook

Document Location:

SELPA Office and Procedural Handbook

Description:

Handbook chapter 15 includes policy and procedure related to provision of services to students in home-hospital settings

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

Reference Number:

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Document Title:	<input type="text" value="Procedural Handbook"/>
Document Location:	<input type="text" value="SELPA Office and Procedural Handbook"/>
Description:	<input type="text" value="Handbook chapter 15 includes LCI/Foster Youth policy and procedure"/>

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

Reference Number:	<input type="text"/>
Document Title:	<input type="text" value="DATA COLLECTION AND DEVELOPMENT OF MANAGEMENT INFORMATION SYSTEMS"/>
Document Location:	<input type="text" value="SELPA Office and Procedural Handbook"/>
Description:	<p>California Department of Education requires of each SELPA the collection of specified data in such a manner as to be communicative with the Management Information System of the State - CALPADS.</p> <p>The SELPA shall design and implement a data collection and storage system that will provide for the management and reporting of required data for state and federal systems. The SELPA will work with the State's Department of Education to collect and report all required data related to special education fiscal and program services, and to provide other pertinent information necessary for the operation of the SELPA.</p> <p>The SELPA staff will support all the LEAs in the SELPA in their collection and reporting of required data.</p> <p>The SELPA staff will strive to support a system which is responsive to the data needs of the LEA. The SELPA staff will implement a continuous improvement model of data collection.</p>

12. Fiscal and logistical support of the CAC:

Reference Number:	<input type="text"/>
Document Title:	<input type="text" value="CAC and Procedural Handbook"/>
Document Location:	<input type="text" value="CAC and Procedural Handbook"/>
Description:	<input type="text" value="The supports for the CAC are provided through the SELPA office staff."/>

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

Reference Number:	<input type="text"/>
Document Title:	<input type="text" value="Procedural Handbook"/>
Document Location:	<input type="text" value="SELPA Office and Procedural Handbook"/>
Description:	<input type="text" value="Handbook chapter 15 includes policy and procedure related to special education transportation"/>

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

Reference Number:	<input type="text"/>
Document Title:	<input type="text" value="Procedural Handbook"/>
Document Location:	<input type="text" value="SELPA Office and Procedural Handbook"/>
Description:	<input type="text" value="Handbook includes policy and procedure related to transition and post-secondary education options"/>

15. Assurance of full educational opportunity:

Reference Number:	<input type="text"/>
Document Title:	<input type="text" value="Full Educational opportunity 20 US 1412(a) (2)"/>
Document Location:	<input type="text" value="SELPA Office and Procedural Handbook"/>
	<input type="text" value="One of the primary goals of the Individuals with Disabilities Education Act is to ensure that every child has access to the general curriculum. At the same time it defines special education as “specially designed instruction”. In order to allow children their best opportunity to access a free and appropriate public education in the Least Restrictive Environment, the SELPA has a responsibility to facilitate a balance and understanding of the requisite elements."/> <input type="text" value="The San Mateo County SELPA is committed to ensuring that all children regardless of their disability have access to the general curriculum to the maximum extent appropriate. Therefore, a focus of personnel development activities and support to all member LEAs will be to facilitate professional growth and student achievement through"/>

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curricular alternatives to all students, including modifications and accommodations, as appropriate.

All children with disabilities, including those with low incidence disabilities, will be given the opportunity to participate in the general curriculum and will be provided appropriate curricular accommodations and modifications. SELPA staff will support statewide and local efforts to pilot and implement curriculum options designed to support children with varying learning needs.

SELPA staff will be available to support students and their teachers whose needs for curricular support are beyond the LEA's expertise.

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:

Document Title:

Document Location:

Annual Budget Plan

SELPA Office and Annual Budget Plan

Description:

State and Federal funds are allocated to the member LEAs for the operation of special education programs pursuant to an agreed upon budget allocation plan. The Budget Allocation Plan is the SELPA fund distribution model pursuant to applicable state and federal regulations. Each LEA in the SELPA acknowledges the obligation to maintain the level of general fund contribution towards the provision of special education services at a level equal to or greater than that of the prior year (Maintenance of Effort) and assures the maintenance of fiscal support in compliance with state and federal mandates. Each LEA understands that Part B funds will not be used to reduce the level of support beyond the amount permitted under federal law and regulations.

State low incidence funds are allocated pursuant to EC and requests are reviewed by the SELPA with a program coordinator and volunteer representatives from LEAs and SMCOE related services specialists.

The SELPA Governing Board shall hold a public hearing on an annual basis to present the annual budget plan to the public for input..

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LEAs will conform to the annual reporting procedures for state and federal funds. Pursuant to AB1200 the county superintendent is responsible for ensuring the fiscal solvency of member LEAs.

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

Reference Number:

Document Title:

PROGRAM SPECIALIST SERVICES

Document Location:

SELPA Office and Procedural Handbook

Description:

The distribution of Program Specialist personnel and services shall be provided in accordance with Education Code provisions. Regularly scheduled program specialist meetings are held and additional communication is coordinated by LEA Administrators. This ensures the continuity of services as per the sixteen functions listed in Education Code 56780.

Duties of program specialists are those specified in Education Code §56368 and the Local Plan:

1. Assist Resource Specialists, related service providers, and Educational Specialists 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 LEA Administrators and the SELPA Administrator, assess program effectiveness to promote the program for student with disabilities.
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 Administrator or LEA Administrator, assure the pupils have full educational opportunity, regardless of the LEA of residence in the Special Education Local Plan Area.
7. Serve on assessment teams and individualized education program teams as provided for in this plan.
8. Assist LEAs with non-public, non-sectarian and state school placements when requested.

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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:

Description:

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

Reference Number:

Document Title:

Document Location:

Description:

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

Reference Number:

Document Title:

Document Location:

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Description:

In the event of a disagreement among LEAs, LEAs and the RLA, LEAs and/or the RLA and the SELPA regarding the distribution of funding, responsibility for service provision and any other governance activities specified in the Local Plan, it is the intent of the SELPA Governing Board that issues be resolved at the lowest level possible. The SELPA Governing Board is the board of last resort. If any party involved in a disagreement is a voting member on the SELPA Governing Board, an alternate from an LEA with the same configuration will replace the voting member during the SELPA Governing Board resolution of the dispute. This policy is intended to resolve disagreements within a period of 45 days, but is not intended to undermine local authority.

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

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

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

Each party shall bear its own costs and expenses and an equal share of the mediator's and/or arbitrator's and administrative fees of arbitration. The power and jurisdiction of an arbitrator shall be limited to

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adjudicating the rights and responsibilities of the parties. The arbitrator shall not have the power to determine constitutional issues or issues outside the scope of Education Code section 56205(b) (5).

Legal References

Federal Requirements: 20 USC 1412 (a), 20 USC 1413 (a) (1), 20 USC 1413 (a) (5)

State Requirements: EC 56001 (f), 56200(c) (2), 56190-56194, 56195.1 (b) (c), 56195.3, 56195.9, 56025 (a) (12), 56205 (b) (4), 56205 (a) (b) (5), 47640-47647, 56195.1, 56203, 56207, 56205 (D) (ii), 56205(a) (12) (D) (1), 56205(b) (1) (F), 56195.19 (a) (12) (D)

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

Reference Number:

Document Title:

Document Location:

Description:

UTILIZATION OF GENERAL EDUCATION RESOURCES

SELPA Office and Procedural Handbook

UTILIZATION OF GENERAL EDUCATION RESOURCES

Each LEA shall ensure that a pupil is referred for special educational instruction and services only after the resources of the general education program have been considered and, where appropriate, utilized. Such resources may include, but not be limited to, response to intervention models, student success teams, early literacy programs, and remedial programs.

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

Reference Number:

Document Title:

Document Location:

Procedural Handbook

SELPA Office and Procedural Handbook

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Description:

Handbook includes multiple sections related to the provision of services and appropriate assessment. In addition, chapter 15 includes policy and procedure related to monitoring NPS/NPA placement and services

6. A description of the process by which the SELPA will fulfill the obligations to provide free and appropriate public education (FAPE) to a student age 18 to 21 (or age 22 under the circumstances described in *EC 56026(c)(4)*) who has been incarcerated in a county jail and remains eligible for special education services:

The obligation to make FAPE available extends to those otherwise-eligible adults in county jail, age 18 to 21, who: (a) had been identified as a child with a disability and had received services in accordance with an IEP, but left school prior to their incarceration; or (b) did not have an IEP in their last educational setting, but had actually been identified as a child with a disability. (*EC Section 56040*)

It is the responsibility of the district of residence (DOR) to provide special education services and related services to an adult student in county jail who remains eligible for these services and wishes to receive them. The DOR is the district in which the student's parents resided when the student turned 18, unless and until the parents move to a new DOR. For conserved students, the DOR is based on the residence of the conservator. (*EC Section 56041*)

Reference Number:

Document Title:

Document Location:

Description:

Procedural Handbook

SELPA Office and Procedural Handbook

Policy and procedure regarding provision of FAPE and IDEA services to eligible adults in county jail is included in the procedural handbook.