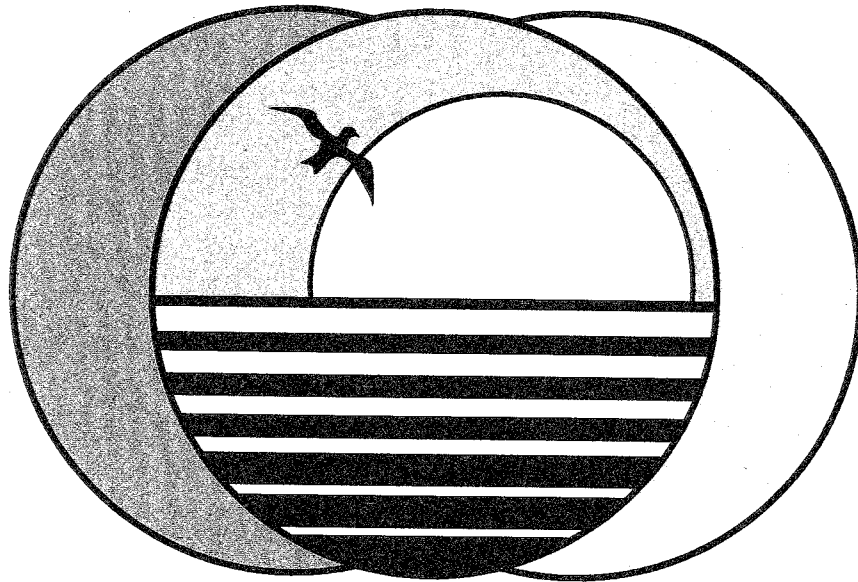

SAN DIEGO SOUTH COUNTY

**SPECIAL EDUCATION
LOCAL PLAN AREA**



Local Plan

Serving Students with Special Needs

SOUTH COUNTY SELPA**POLICY: 2002-GS****APPROVED: 10/16/02****REVISED: 9/21/05****REVISED: 3/21/2007****GOVERNANCE STRUCTURE****Federal Requirements:** 20 USC 1412 (a), 20 USC 1413 (a) (1), (20 USC 1413 (a) (5) ⁹⁾**State Requirements:** E.C. 56001 (f) ¹ 56190-4 ⁶, 56195,1 (b) (c) ⁵, 56195.3 ², 56195.7, 56195.9 ³, 56205 (a) (12) ⁴, 56205 (b) (4) ⁸, 56205 ((b) (5) ⁷, 47640-47647 ¹⁰**DESCRIPTION OF GOVERNANCE AND ADMINISTRATION OF THE LOCAL PLAN
GOVERNANCE STRUCTURE OF THE PLAN**

The South County SELPA is a multi-district SELPA with the San Diego County Office of Education acting as the Administrative Unit (AU). The governance structure of the Special Education Local Plan Area (SELPA) is established by the agreement of the governing boards of the member Local Educational Agencies (LEAs). It consists of the Superintendents' Council, which sets policy, the Operations Committee, the AB 602 Finance Committee and the Community Advisory Committee (CAC). The CAC is appointed by the LEAs and made recommendations to the Superintendents' Council and other administrative bodies. The Finance Committee and the Operations Committee direct the details of program operations.

A SELPA Director is employed who, through the utilization of clerical staff, a special education coordinator and appropriate committees carries out the activities and duties assigned by the Superintendents' Council.

Local Plan Development

In accordance with California Education Section 56195.3 the following process shall be used in the development of the Local Plan.

1. Members of the Operations Committee and the SELPA Director shall identify the general and special education teachers and administrators and selected by their peers to actively participate in a committee for the purpose of reviewing and/or editing draft documents. Parent representatives on the committee shall be selected from the membership of the Community Advisory Committee.
2. Submit a revised Local Plan to the Community Advisory Committee for review and input.
3. Cooperate with the San Diego County Office of Education in coordinating the Plan with other SELPAs in the county.
4. Submit the revised Local Plan in draft form to the Operations Committee for review and recommendation to the Superintendents' Council for approval.
5. Submit the Local Plan to the Superintendents' Council for approval and submission to the California Department of Education.
6. Submit Local Plan to each LEA local board for approval.

Roles and Responsibilities

1. BOARDS OF TRUSTEES/EDUCATION

The policy making structure of the Local Plan Area rests in the electorate of San Diego County through the six LEA's Boards of Trustees/Education, they include: Chula Vista Elementary School District, Coronado Unified, National School District, San Ysidro School District, South Bay Union, Sweetwater Union High School District and the San Diego County Board of Education. The Boards are responsible for reviewing and giving final approval for special education plans and policies.

An LEA's governing board shall:

- a. Have authority over all special education programs operated the district;
- b. Approve revisions to the Plan for special education;
- c. Consider for adoption policies recommended by the Superintendents' Council;
- d. Appoint members to the regional Community Advisory Committee (CAC) in accordance with the Plan;
- e. Be responsible for the quality of the special programs and facilities in the LEA;

The County Board of Education shall:

Adopt the annual budget upon the recommendation of the Superintendents' Council and SELPA Director.

2. SUPERINTENDENTS

The San Diego South County Special Education Local Plan Area (SELPA) shall be governed by the Superintendents' Council acting as a joint partner executive board for the SELPA on behalf of the Boards of Trustees/Education of the respective LEAs.

The Superintendents' Council is composed of the following members:

- a. The Superintendent from each of the participating LEA, including a representative of any charter school deemed an LEA pursuant to the Plan and the South County Charter School Policy *.
- b. The County Superintendent or his/her designee as ex-officio member.

* A LEA Superintendent may designate a representative, if approved by the Chairperson of the Superintendents' Council, for a particular meeting.

The Superintendents' Council shall be responsible for the operation of the San Diego South County Special Education Local Plan Area (SELPA) in accordance with the policy-making process. No action shall be taken except by a majority vote (four members) of the Superintendents' Council. At the final Superintendents' Council meeting of each year, LEA superintendents shall appoint one of their members to serve as Chair of the Superintendents' Council. The immediate past Chair shall serve as an alternate at any meeting during the year in which the Chair is absent.

The Superintendents' Council shall:

- a. Develop philosophy, goals, priorities, and plans for special education throughout the SELPA;
- b. Make decisions regarding implementation, administration, and operations of special education programs and services in accordance with the Plan;
- c. Through appropriate public hearings and public notices provide an opportunity for members of the public, including parents or guardians of individuals with exceptional needs who are receiving services under the plan, to address questions or concerns prior to the adoption of any policies and/or regulations needed to comply with Part B of the IDEA.
- d. Adopt SELPA policies and procedures
- e. Recommend and present revisions of the Plan and to the governing boards for adoption;
- f. Provide direction to the SELPA Director and Operations Committee regarding the implementation, administration, and operation of the Plan;
- g. Review and approve recommendations from the AB 602 Committee regarding the appropriate use of federal, state and local funds allocated for special education programs.
- h. Consult with and advise the County Superintendent regarding the selection and employment and discipline of the SELPA Director.

3. SPECIAL EDUCATION ADMINISTRATORS' RESPONSIBILITIES

OPERATIONS COMMITTEE

The Operations Committee consists of the administrators of special education of the LEAs in the SELPA, including a representative of any charter school deemed an LEA in accordance with the Charter School Policy of the SELPA. The San Diego County Office of Education is represented by staff from the HOPE Infant and Family Support Program, Juvenile Court and Community School program. For voting purposes the SDCOE has one vote on the Operations Committee. No action is taken unless a quorum (four members) of the participants is present.

The Operations Committee shall:

- a. Provide cooperative leadership with the SELPA Director in the development, revision, and operation of the Plan under the supervision of the local boards of education and the Superintendents' Council.
- b. Prepare recommendations to the Superintendents' Council for the allocation of resources within the SELPA;
- c. Attend Superintendents' Council meetings to act in an advisory capacity to the respective LEA superintendents, as requested;
- d. Provide information and support to the Community Advisory Committee (CAC)
- e. Gather, interpret, and report data and information relevant to the evaluation, effectiveness and implementation of the Plan to superintendents, boards, and the SELPA Director;

SELPA DIRECTOR

The SELPA Director shall:

- a. In cooperation with the Operations Committee, coordinate the development and revision (as appropriate) of the Local Plan for Special Education;
- b. Facilitate the activities of the Operations Committee and Superintendents' Council by: Collaboratively developing and disseminating meeting agenda, chairing the Operations Committee, and serving as secretary to the Superintendents' Council.
- c. Support SELPA and LEA Staff Development activities by: assisting district and SELPA staff in developing yearly priorities based on needs assessment; and providing resources as appropriate;
- d. Provide support to the SELPA Community Advisory Committee in: establishing annual goals and developing programs; maintaining membership; attending meetings; and advising the Local Plan;
- e. In conjunction with the Operations Committee, establish and evaluate annual SELPA goals, and objectives as part of the ongoing evaluation of the implementation of the plan;
- f. In collaboration with the Operations Committee, prepare, revise, and monitor the SELPA budget for Superintendents' Council approval;
- g. Through attendance at SELPA Administrators Association Meetings, conferences and workshops maintain an awareness of innovative and promising practices in special education and disseminate this information to Operations Committee members;
- h. In collaboration with the Operations Committee, compile and submit all required documents required by the state and other agencies within the required timelines including fiscal reports and the Annual Budget Plan.
- i. Participate in county wide meetings for the development, revision, and evaluation of local interagency agreements.
- j. Participate in county wide meetings to annually establish a master contract for non public schools and agencies and establish uniform tuition and service rates.
- k. Assist responsible LEAs in providing required special education services to medical facilities and licensed children's institutions.
- l. Supervise and evaluate personnel employed by the County Superintendent and assigned to the SELPA, utilizing input from the LEAs served;

ADMINISTRATIVE UNIT

The San Diego County Office of Education serves as the administrative unit for the San Diego County Special Education Local Plan Area (SELPA) as provided for in Education Code Section 56030. As fiscal agent for regional funds, the administrative unit collects all such regional funds and disburses them in accordance with the approved budget. The administrative unit acts as an agent of the SELPA's Superintendents' Council, provides services agreed upon in the Local Plan, and is entitled to costs incurred on behalf of the SELPA in accordance with the Agreement for Personnel and Fiscal Services.

AB 602 COMMITTEE

The AB 602 Committee is comprised of each LEA administrator responsible for the operations of special education programs and the chief financial officer of each LEA or his/her designee, the SELPA Director and SELPA accounting staff. The AB 602 Committee:

- a. Develops and revises the Allocation Plan for state, local and federal funds for special education for approval by the Superintendents' Council.
- b. Appoints members to the Fiscal Review subcommittee for review of allocation spreadsheets as they are developed.
- c. Approves the distribution of funds on an annual basis.
- d. Develops projections of revenue for budget development at the local level.
- e. In cooperation with the SELPA Director and the Operations Committee monitors the appropriate use of federal, stat and local funds allocated for special education programs.
- f. Assists in the development of the Annual Budget Plan for the SELPA.

EDUCATION OF INDIVIDUALS WITH EXCEPTIONAL NEEDS RESIDING IN THE LOCAL PLAN AREA

EQUAL ACCESS TO SPECIAL EDUCATION

All individuals with exceptional needs who reside in the SELPA have access to a free and appropriate public education including any services and instruction which the individual's IEP Team determines to be appropriate. The LEA directors and SELPA Director work cooperatively to ensure that any child residing in one LEA has access to non-impacted programs in other districts in the SELPA and in schools or other available service agencies. There is common acceptance of any IEP written within the SELPA by any other LEA in the SELPA. To ensure full education opportunity it shall be the policy of each Local Education Agency that all pupils with disabilities have access to educational programs, nonacademic programs, and services available to non-disabled pupils.

PROCEDURE FOR CHANGES IN DELIVERY SYSTEM

The Operations Committee, comprised of district administrators for special education and the SELPA Director, are responsible for reviewing and recommending to the SELPA's policy making board (the Superintendents' Council) any changes in the participating agencies' responsibility for the education of individuals with exceptional needs.

Within the SELPA, special education programs and services for low incidence disability groups are provided by all districts or by referral to other districts. Disabled infants (0-3 years) residing within the SELPA are served by the San Diego County Office of Education, through the HOPE Infant Program and San Diego Regional Center for Developmental Disabilities.

The San Diego County Office of Education also operates a program for severely disabled individuals who reside in a proprietary medical facility located within the geographical boundaries of the SELPA.

Changes in services provided by the educational agencies within the SELPA are made according to the policies on program reorganization of programs and services within the SELPA and conflict resolution. These policy statements include how changes are made, how to communicate those changes, where approval is obtained, and how disagreements are resolved.

PROCEDURE FOR MAKING CHANGES IN THE DELIVERY SYSTEM

Member Local Educational Agencies comprising the San Diego South County SELPA agree to the following with respect to a reorganization of programs and services within the Local Plan Area.

A program reorganization in the South County SELPA occurs in order to provide special education programs and services to individuals with exceptional needs in the least restrictive environment that is appropriate for the students involved. For purposes of this agreement, a program reorganization is defined as a redistribution of AB 602 funds within the SELPA from one Local Educational Agency (LEA) to another, as well as a transfer of the responsibility for providing educational services to the group of individuals with exceptional needs served in the program who reside within the second LEA.

The member LEA requesting a program reorganization of special education programs and services within the SELPA submits such a request in writing to the SELPA Director so that the request can be placed on the next regularly scheduled agenda of the Operations Committee. The Operations Committee makes a recommendation regarding the request to the Superintendents' Council for their action. The member LEA requesting a program reorganization must bring such a request to the Operations Committee for review and a recommendation by October 1, and the Superintendents' Council must take action on such a recommendation by December, in order that program reorganization to be effective for the following school year. Each participating education agency may appeal a decision by the Superintendents' Council. The Superintendents' Council shall either convene an internal SELPA review panel or select to use an alternative dispute resolution agency.

In the event of an appeal, an extension of the December timeline can be granted if the LEA, which would potentially reduce service and/or programs, agrees. The above timelines may be waived if all member LEA's that would be involved in or affected by a program reorganization of programs agree.

RATIONALE

A member LEA, which would be affected by a program reorganization, needs sufficient planning time prior to March 15, in the event that staff reductions or transfers would be involved.

PROCEDURES FOR CONFLICT RESOLUTION

Member Local Education Agencies comprising the San Diego South County SELPA agree to the following with respect to conflict resolution involving any governance and administrative issues of the Local Plan:

All participating LEA's will discuss any areas of conflict at the level of the Operations Committee. Any areas regarding laws or policies of the California Department of Education (CDE) will be referred to the State Director or Special Education. Advice from the CDE will be brought back to the Operations Committee by the SELPA Director. The Operations Committee will reconsider the issue and reach accord.

In the event that any issue cannot be resolved by the Operations Committee, the SELPA Director will convey the issue to the Superintendents' Council for resolution. In the event that the issue cannot be resolved by the Superintendents' Council, the member districts may use alternative dispute resolution such as an internal review panel, mediation or the use of a private arbitration. The results of such arbitration shall be final and binding on all parties involved.

CHANGE IN GOVERNANCE STRUCTURE

Any LEA within the SELPA must notify the County Office of Education and the Superintendents' Council in writing by October 1 of the school year prior to its decision to withdraw from participation in the Plan. Any such change in governance structure must be in accordance with Education Code Section 56195(b) or (c) and must be approved by the Superintendent of Public Instruction. Any LEA wishing to apply for participation in the Plan, including any charter school requesting LEA status within the SELPA pursuant to Section 47640 et. Seq. must provide no later than October 1 of the year prior to participation in the Plan:

- Local policies and procedures necessary to implement the requirements of the Plan;
- A Service delivery plan that assures a full continuum of program options for enrolled pupils;
- A plan for contracting with other participating LEAs for services not directly provided;
- A detailed special education pupil count for the current school year;
- A proposed budget for providing services that includes local general fund contribution equal to the average contribution of participating LEAs;
- A recruitment plan for hiring of appropriately credentialed staff;
- A facilities plan;
- Other documents as requested by the Superintendents' Council;
- Enrollment Policy;

In reviewing any application for an LEA, including any charter school wishing to be admitted as a LEA, the Superintendents' Council shall consider all the following:

- The completeness of the application. This shall include a review of all required components of the application.
- The underlying assumptions of the SELPA AB 602 Allocation Plan and the effect of admitting another LEA. The assumptions include:
 - Sufficient size and scope of the LEA (minimum of 2,500 ADA) so that an ADA distribution model provides sufficient revenue to operate comprehensive programs for all students, including students with moderate to severe and low incidence disabilities.
 - LEA acceptance of all risk and liability for operating programs.
 - Responsibility for all non public school placements.
- Based on the location of the LEA, the ability of the SELPA to effectively provide Regionalized/Program Specialist services.
- Experience and expertise of appropriate staff to administer all components of the program.

No LEA shall be admitted to the SELPA, who in the judgment of the Superintendents' Council, has failed to submit a complete application, meets the size and scope requirements identified above, be located in such a manner that regionalized/program specialist services can be provided, and/or does not effectively document the ability to administer programs in compliance with all requirements of state and federal law for educating students with disabilities.

ADMINISTRATIVE FUNCTIONS

1. THE SELECTION OF THE RESPONSIBLE LOCAL AGENCY (RLA)

The participating LEAs and the County Office of Education are represented on the Superintendents' Council. The issue of determining the Responsible Local Agency (RLA) is reviewed annually and decided by majority vote. Since the initiation of this Local Plan, the San Diego County Office of Education has been designated as the RLA with responsibility for employment of the SELPA staff. The County Office of Education employs the SELPA Director and Coordinator. Program Specialist funds are distributed to other member districts by formula (see section 5) Standard personnel procedures are used by the San Diego County Office of Education.

2. ADMINISTRATIVE UNIT RESPONSIBILITY FOR PROCEDURAL SAFEGUARDS

The San Diego County Office of Education, as the administrative unit, assists the participating LEAs in meeting legal requirements through the services of the SELPA office. The SELPA Director, in conjunction with the LEA special education directors, ensures:

- a. Each LEA implements a system of identification and assessment in accordance with the SELPA policy on child find and evaluation.
- b. Equal access to all programs and services in the region. All individuals with exceptional needs who reside in the SELPA have access to any services and instruction which the IEP process determines to be appropriate. The LEA directors and SELPA director work cooperatively to ensure that any child residing in the SELPA has access to a full range of program options including all non-impacted LEA programs, non-public schools, or other available service agencies. There is common acceptance of any IEP written by each LEA within the SELPA in any other district program in the SELPA;
- c. Each LEA informs parents of their rights in the due process statements provided them throughout the referral and IEP process. The California Department of Education, through its contractor, provides parents with a list of free and low-cost legal services in the area upon receipt of a request for due process;
- d. Complaints and the correction of identified problems. Every LEA within the South County Special Education Local Plan Area (SELPA) has adopted procedures for addressing complaints alleging violation of federal or state laws or regulations, including alleged violations regarding the education of individuals with exceptional needs, pursuant to the California Code of Regulations, Title 5, Section 4600-4671. The SELPA Office maintains a copy of each LEA's procedures for reference purposes. In addition, if one of the SELPA LEAs receives a complaint regarding special education programs and services in that LEA, the SELPA Director may assist the LEA in resolving the complaint and/or in the correction of any identified problems, per the LEA's procedures;
- e. Due process procedures.
[the description of due process procedures in Education Code Sections 56500-56507, or purposes of code of Federal Regulations, 34 CFR 300.237, are hereby included in this Local Plan by reference.]

Any due process mediation conferences and/or hearings that occur in the SELPA are responsibility of the local LEA director with support from the SELPA Director. Support may include direct participation and/or consultation on legal issues. At the conclusion of the due process case, the issue(s) involved and their resolutions(s) are brought to the Operations Committee for review and information as to the implications for the whole SELPA.

3. REGIONALIZED SERVICES AND PROGRAM SPECIALIST SERVICES

Regionalized services pursuant to Section 56195.7 are under the direction of the SELPA Administrator the SELPA and are delineated in specific policies and procedures. In addition to the SELPA Director the South County SELPA employs a Coordinator of Special Education whose duties include participation on county wide committees, the facilitation of SELPA staff development, and the supervision of SELPA staff.

Funds to support Program Specialist services are allocated throughout the region on basis of the total ADA. Program Specialists employed by the districts are selected and supervised by the special education director, in accordance with district personnel procedures. All program specialists meet qualification listed in 56368(a).

Program Specialist may do all of the following:

- Observe, consult with, and assist resource specialists, designated instruction and services instructors, and special class teachers.
- Plan programs, coordinate curricular resources, and evaluate effectiveness of programs for individuals with exceptional needs.
- Participate in each school's staff development, program development, and innovation of special methods and approaches.
- Provide coordination, consultation and program development primarily in one specialized area or areas of his or her expertise.
- Be responsible for assuring that pupils have full educational opportunity regardless of the district of residence.
- Provide direct instructional support.

The SELPA Director meets with program specialists on a monthly basis to coordinate regionalized services, staff development, curriculum development, and parent education. Activities and accomplishments are reviewed annually by the Operations Committee.

By means of local developed policies and procedures, the activities of the Program Specialist Committee, Operations Committee, Finance Committee, the Regional Directors Committee at the County level, and the Community Advisory Committee, the South County SELPA ensures the:

- Coordination of the special education local plan and the implementation of the plan,
- A coordinated system of identification and assessment
- A coordinated system of procedural safeguards
- A coordinated system of staff development and parent and guardian education
- A coordinated system of internal program review, evaluation of the effectiveness of the plan and implementation of a local plan accountability mechanism
- A coordinated system of data collection and management
- Coordination of interagency agreements
- Coordination of services to medical facilities
- Coordination of services to licensed children's institutions and foster family homes
- The preparation and transmission of required special education local plan area reports
- Fiscal and logistic support of the community advisory committee
- Coordination of transportation services for individuals with exceptional needs
- Coordination of career and vocational education and transition services
- Assurance of full educational opportunity
- Fiscal administration of the allocation of state and federal funds pursuant to section 56836.01

Direct instructional program support that may be provided by program specialists in accordance with Section 56368.

COMMUNITY ADVISORY COMMITTEE

1. APPOINTMENT OF MEMBERS

[The members of the Community Advisory Committee (CAC) shall be appointed and have responsibility under provisions of Education Code Section 56191-56193.]

The members of the San Diego South County SELPA Community Advisory Committee (CAC) are appointed by and responsible to the governing board of each participating LEA. Recommendations for appointment to membership from parents, community members, administration and staff will be presented to each LEA superintendent. The LEA superintendent will nominate members to the CAC, for appointment by the respective governing board. Such procedure shall provide that terms of appointment are for at least two years and will be staggered to ensure that no more than half of the membership services the first year of the term in any one year.

The CAC is composed of sixteen (16) parents of individuals with exceptional needs enrolled in special education programs in public or nonpublic, nonsectarian schools; six (6) special education and three (3) general education classroom teachers; other school personnel, as appropriate; one (1) private school representative; four (4) representatives of other public and private agencies; one (1) pupil and one (1) adult from the disabled community; and persons concerned with the needs of individuals with exceptional needs. At least the majority of the CAC members are parents of pupils enrolled in schools located within the geographic boundaries of the SELPA, and at least a majority of parents are parents of individuals with exceptional needs. Agency representatives and other school representatives are selected by the Superintendents' Council upon recommendation by the Operations Committee. Ex-officio members of the CAC include administrators of special education in member districts, program specialists, SELPA personnel, and guests.

2. RESPONSIBILITY OF THE COMMUNITY ADVISORY COMMITTEE (CAC)

The responsibility of the Community Advisory Committee includes the following:

- (a) The CAC advises the policy and administrative entity of the SELPA regarding the development and review of the local plan. CAC comments are reviewed and considered;

Members of the CAC are a part of the committee that cooperatively updates the Local Plan. A draft is taken to the total CAC at least 30 days prior to the local plan being presented to the Superintendents' Council and Boards of Education;

- (b) At the initial fall meeting of the CAC the SELPA Director presents to the membership the management plan of the SELPA and solicits input as to the CAC's priorities for the year and for the SELPA;
- (c) The CAC services as a source of information for parents of disabled students, assisting in seeking out parents who may require information about special education, and assisting the SELPA's parent/community education programs (*see Appendix B*). CAC members provide parents of special education students with information regarding their rights, particularly the due process procedures available to them. The CAC works cooperatively with the Parent Teacher Associations in the region in providing information and workshops of interest. CAC members provide assistance in the recruitment of parents and other persons interested in serving as volunteers in relation to special education programs;
- (d) The CAC provides information to the general public regarding the region's progress in implementing the Local Plan and encourages public involvement in the Plan's development and review;
- (e) The CAC sponsors several programs each year that deal with several facets of special education programs and services. One of the results of these programs is the continued support of programs and services for individuals with exceptional needs in school and in the community by CAC members and other interested participants;
- (f) The importance of general school attendance is included in the programs that are presented. Parent awareness of how our special education programs and services operate has been very beneficial to the increase of regular school attendance.

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.

INTRODUCTION AND RATIONALE

The Community Advisory Committee (CAC) is an integral part of the San Diego South County Special Education Local Plan Area (SELPA). Legislation mandates the role and function of Community Advisory Committees. The CAC provides a vehicle for establishing open and direct lines of communication between the community and the administrative and policy-making entities of the school LEA's.

The CAC serves as an advisory to the San Diego South County SELPA with regard to the development, amendment, and review of the Local Plan.

**COMMUNITY ADVISORY COMMITTEE
OF THE
SAN DIEGO SOUTH COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA**

BYLAWS

Article I – NAME

The Community Advisory Committee (CAC) of the San Diego South County Special Education Local Plan Area (SELPA)

ARTICLE II - PURPOSE

The purpose of this organization shall be:

- A. To advise the policy and administrative entity of the Special Education Local Plan Area (SELPA) regarding the development and review of the Local Plan.

CAC comments are reviewed and considered.

Members of the CAC are a part of the Committee that cooperatively updates the Local Plan. A draft is presented to the CAC at least 30 days prior to the Local Plan's submission to the California Department of Education.

- B. Recommending annual priorities to be addressed by the SELPA.

The SELPA Director presents the SELPA management plan to the CAC, and request the CAC to list their recommended priorities for the year.

- C. Assisting the parent education and recruitment of parents and other volunteers to help implement the plan.

The CAC serves as a source of information for parents of disabled students, assisting parents who may require information about Special Education, and also assisting the SELPA's parent/community education programs. CAC members provide parents of special education programs. CAC members provide parents of special education students with information regarding their rights, particularly the Due Process procedures available to them. The CAC works cooperatively with the LEA's Parent/Teacher Associations in the region in providing information including workshops of interest. CAC members

provide assistance in the recruiting parents and other persons interested in serving as volunteers of Special Education programs.

- D. Encouraging community involvement in the development and review of the Local Plan.
- E. Supporting activities on behalf of individuals with exceptional needs.
- F. Assisting in parent awareness of the importance of regular school attendance through CAC activities and school district parent notification procedures.

The CAC provides information to the general public regarding the SELPA's activities.

ARTICLE III – MEMBERSHIP

A. Appointment of Voting Members

1. Appointees

The members of the CAC shall be appointed by, and responsible to, the Governing Board of each participating district in the SELPA. Terms of appointment are two years. Members may be appointed by a LEA to more than one consecutive term.

2. Composition

It is the goal of the CAC to have its membership represent parents of students with a variety of disabilities and having knowledge of general/special education issues. The composition is set forth in the Local Plan. The breakout is as follows:

a. Parents – Total of 16

Chula Vista	5
Coronado	1
National	2
San Ysidro	1
South Bay	2
Sweetwater	5

b. Teachers – Total of 9

(1) Special Education – Total of 6

Chula Vista	1
Coronado	1
National	1
San Ysidro	1

South Bay	1
Sweetwater	1
(2) Regular Education – Total of 3	
Chula Vista	1
San Ysidro	1
Sweetwater	1

- c. Private Schools Representatives – Total of 1
- d. Public and Private Agency Representatives – Total of ~~4~~ 2
Representatives – Total of 2
 - (1) Disabled Adult Representative 1
 - (2) Disabled Student Representative 1
- e. Ex-officio Members (non-voting members):
May consist of the following:
 - (1) District directors of Special Education in the SELPA
 - (2) District and SELPA Program Specialists in the SELPA
 - (3) SELPA Director
- f. Guests – always welcome (non-voting participants)

ARTICLE IV – OFFICERS

Section 1. The officers of the CAC shall be Chairperson, Chairperson-elect, and Secretary.

Section 2. A. The CAC shall elect its own officers within its membership for a one-year term by a majority vote of the voting members present at the May CAC meeting.

B. Officers may not serve more than two consecutive terms.

C. The CAC Chairperson shall appoint a nominating committee each spring to be ratified by the members. The committee will represent each district with a duty to present a slate of officers in May for the coming year, and to fill vacancies occurring during the year. Nominations will be made by the nominating committee and will also be accepted from the floor.

- D. Nominees must state a willingness to serve before election.

ARTICLE V – DUTIES OF OFFICERS

Section 1. Chairperson

- A. Develop the agenda and preside over CAC meetings.
- B. Vote to break ties when necessary.
- C. With the guidance and input of the CAC, assign duties and make appointments to sub-committees/ad hoc committees (which may include students and non-members) for specific purposes whenever necessary.
- D. Make annual reports as required.
- E. Send out meeting notices

Section 2. Chairperson – elect

- A. The chairperson-elect will assume the duties of the chairperson in his/her absence and serve as the next chairperson.
- B. Vote to break ties when necessary.
- C. With the guidance and input of the CAC, assign duties and make appointments to sub-committees/ad hoc committees (which may include students and non-members) for specific purposes whenever necessary.
- D. Make annual reports as required.
- E. Send out meeting notices.

Section 3. Secretary

- A. Maintain minutes of all CAC proceedings and submit them for CAC approval.
- B. Keep committee and subcommittee reports.
- C. Perform all written correspondence of the CAC.

ARTICLE VI – REMOVAL FROM MEMBERSHIP

If any CAC member is absent from ~~three~~ two consecutive meetings without a valid excuse, he/she shall be contacted by SELPA staff to determine continued interest in being a member.

ARTICLE VII – PROCEDURES

Section 1. Meetings

- A. Procedures not specified in these bylaws shall be governed by “Robert’s Rules of Order – Newly Revised.”
- B. A quorum is at least one voting member, from a minimum of three member LEA’s, present at the time the vote is taken.

Section 2. General

- A. The CAC Chairperson shall file the CAC membership roster with the SELPA Director.
- B. In the spring, the membership will be surveyed and CAC shall draft a schedule of meeting dates and topics for the following school year. Other items may be considered as the need arises during the year.
- C. The schedule of meetings shall be adopted at the first meeting of the year by a the majority of the members present.
- D. The secretary of the CAC shall provide a copy of the minutes of each meeting to each member.
- E. The regularly scheduled CAC meetings shall be open to the public.

ARTICLE VIII – BYLAW CHANGES

- A. Changes to the bylaws may be made by a 2/3 vote of the voting members present at any business meeting. Proposed amendments/changes must be submitted to the membership at the previous meeting at which the amendments/changes are to be acted upon. The proposed amendments/changes shall be made clear to all members before a vote is taken; all amendments/changes shall become effective immediately upon acceptance by the membership.
- B. CAC bylaws shall not be in conflict with current Boards of Education policies of the SELPA’s participating LEA’s.

SOUTH COUNTY SELPA POLICY: 2002-LIT APPROVED: 10/16/02 REVISED: 3/21/2007; 12/13/2017	LITERACY POLICY
--	------------------------

FEDERAL REQUIREMENTS

20 USC § 1412(a)(23)

34 CFR § 300.172

STATE REQUIREMENTS

EC § 56205(a)(20)

OTHER

State Board Requirement 2/99

AB 2519 2/98

The South County Special Education Local Plan Area (SELPA) member districts ensure that all efforts will be made to improve the achievement results for student with disabilities. These efforts include that students with disabilities will have access to the same high-quality, research-based instruction as their peers in general education.

Additionally, in order to master reading and language arts skills, students with disabilities will have full access to core curriculum, including state adopted core curriculum textbooks and supplementary textbooks, and all related instructional materials and support.

In order to ensure the provision of high-quality reading and language arts education, special education instructional personnel will participate in staff development inservice opportunities provided or facilitated by South County SELPA and member districts in the areas including, but not limited to:

- ☐ Information about current literacy and learning research that aligns with the state-adopted standards.
- ☐ Research-based instructional strategies for teaching reading to a wide range of diverse learners.

The South County SELPA and member districts acknowledge that the above-noted policy components reflect the intent of the California Reading Initiative of 1999.

Access to Instructional Materials for Individuals with Print Disabilities

The South County SELPA member districts further ensure that blind student and students with other print disabilities who need instructional materials in accessible formats are provided those materials in a timely manner, according to the State definition. All reasonable steps will be taken to provide those instructional materials in accessible formats at the same time that other students receive instructional materials.

Additionally, all students with disabilities requiring instructional materials in specialized formats (ex. Braille, audio, or digital text and are print formats) will be provided those materials according to the standard established by the National Instructional Materials Accessibility Standard (NI-MAS).

- ☐ Instructional materials to blind students or other students with print disabilities in a timely manner according to state adopted National Instructional Materials Accessibility Standard

SOUTH COUNTY SELPA POLICY: 2002-EES APPROVED: 10/16/2002 REVISED: 5/10/17	EARLY EDUCATION SERVICES PROGRAM DESCRIPTION 0-5 & EARLY INTERVENTION SERVICES - PART C AND PART C TRANSITION
--	--

FEDERAL REQUIREMENTS

20 USC §1432
20 USC §1431 - 1435
34 CFR § 300.101

CALIFORNIA REQUIREMENTS

EC § 56205(b)(3)
EC § 56429
EC § 56361.2
5 CCR § 3031
17 CCR § 52020
17 CCR § 52100
17 CCR § 52140
GC § 95000 -95004

The South County Special Education Local Plan Area (SELPA) and its member districts ensure that special education services are available for all eligible individuals 0 - 5 years of age residing within the member districts, and that those individuals have a right to participate in public education services.

Individuals birth through 2 years of age with a disability, as identified by the individualized family service plan (IFSP) team, have a right to early intervention services as mandated by the Individuals with Disabilities Education Act (IDEA) - Part C. Part C is a program administered by the state of California that serves infants and toddlers through age two with developmental delays, or a diagnosed physical or mental condition that has a high probability of resulting in developmental delay. The Early Intervention services may be delivered through an IFSP, which is a family-focused, outcome-oriented plan that focuses on the developmental needs of the child and the concerns of the family.

The South County SELPA and member districts further ensure that early intervention services designed to meet the needs of the identified infants and toddlers aged 0-2 and their families will be provided by, and agreed to through an interagency agreement between San Diego Regional Center and San Diego County Special Education Local Plan Areas, and the Superintendent of Schools, San Diego County Office of Education (SDCOE) for California Early Start Program. * The SDCOE Early Start will provide educational services, as deemed appropriate by the IFSP team, to identified children who are not eligible for the San Diego Regional Center and have a Solely Low Incidence disability (i.e. Deafness, Hard of Hearing, Blindness, Orthopedic Impairment, etc.).

Individuals with disabilities 3-5 years of age may access evaluation services through their South County SELPA school district of residence. If the child is identified through the evaluation process as eligible for special education under IDEA - Part B, educational services designed to meet all identified areas of need will be provided through the Individualized Education Program (IEP) process. Special education preschool services are available for children in all LEAs.

**This document is in effect until replaced by a revised interagency agreement by all participating agencies.*

TRANSITION

FEDERAL REQUIREMENTS

20 USC § 1412(a)(9)

34 CFR § 303.209

STATE REQUIREMENTS

EC § 56205(a)(9)

EC § 56426.9

17 CCR § 52140(b)(10)

17 CCR § 52112

The South County Special Education Local Plan Area (SELPA) and its member districts ensure that all children participating in Early Intervention programs under the Individuals with Disabilities Education Act (IDEA) - Part C who will participate in special education preschool programs under IDEA - Part B will experience a smooth and effective transition process.

All member districts will participate in interagency transition planning procedures beginning at least six months prior to each child's third birthday to ensure that an Individualized Education Program (IEP) has been developed, and that services required by an IEP under IDEA - Part B are initiated by the third birthday. Additionally, South County SELPA staff and member districts will follow the transition procedures outlined in the Interagency Agreement between San Diego Regional Center and the San Diego County Office of Education for California Early Start.*

**This document is in effect until replaced by a revised interagency agreement by all participating agencies.*

SOUTH COUNTY SELPA POLICY: 2002-CF APPROVED: 10/16/02 Revised: 12/13/2017	CHILD FIND
--	-------------------

FEDERAL REQUIREMENTS

20 USC § 1412(a)(3)

34 CFR § 300.111

CALIFORNIA REQUIREMENTS

EC 56301(d)(1),

56205(a)(3)

The South County Special Education Local Plan Area (SELPA) ensures that all individuals with disabilities 0 - 21 years of age who reside in the member districts, regardless of the severity of their disability, shall be identified, located, and assessed. This will be accomplished through the use of a continuous child find system procedure that addresses the relationships among identification, screening, referral, assessment, planning, implementation, review, and the triennial assessment.

The continuous child find system encompasses all children regardless of their disabilities, including those who may be homeless or are wards of the state; children with disabilities attending private, including religious elementary and secondary schools; highly mobile children, including migrant children; and children who are suspected of being a child with a disability though they are advancing from grade to grade.

The South County SELPA Child Find system incorporates these components:

- Infants and toddlers (birth to three years): The HOPE Infant Family Support Program provides coordinated services for infants and toddlers with disabilities or at risk for developmental delays and their families as required by the Individuals with Disabilities Education Act (IDEA) - Part C and the California Early Intervention Services Act. The HOPE program is part of California Early Start, an interagency system of coordinated services administered by the CA Department of Developmental Services (DDS) in collaboration with the CA Department of Education, and is operated by the San Diego County Office of Education (SDCOE). At this time, HOPE works in collaboration with the Exceptional Family Resource Center (EFRC) and San Diego Regional Center to ensure that quality early intervention services, including initial referral and evaluation, are made available at no cost to families. The EFRC serves as a "Point of Entry" for CA Early Start Services and processes referrals to the Regional Center. Information about referrals for

Early Start Services is available to the public from the EFRC (800-281-8252) and the DDS Early Start Central Directory at www.dds.ca.gov/earlystart. A description of additional child find activities conducted by South County SELPA districts for infants and toddlers can be found in the Local Interagency Agreement for California's Early Start Program between San Diego Regional Center, San Diego Special Education Local Plan Areas, and other participating agencies.

- Preschoolers (3 years to kindergarten age): Infants ~~or~~ and toddlers receiving early education services from HOPE and/or San Diego Regional Center through an Individual Family Service Plan (IFSP) will participate in transition activities identified in the SELPA Local Plan. These students will directly transition, as eligible, from services under IDEA - Part C to services provided by their district of residence under IDEA - Part B. All parents and/or guardians receive information regarding the special education referral process and the continuum of preschool services available within the districts of the South County SELPA from the family's district of residence to continue efforts to identify children who have disabilities and have not previously been identified.
- School Age Children: Local schools within the SELPA use systematic methods of utilizing referrals for special education from teachers, parents and other adults. Staff are trained on the requirements for providing assistance to parents/guardians and teachers who wish to make such a referral. Designated staff, who may include special education specialists, school psychologists, program specialists or district administrators, are responsible for providing information about special education to parents when parents have a concern and/or it is suspected that a child may have a disability, and for accepting referrals and tracking timelines. When a student is experiencing academic and/or social/emotional difficulties, school site Student Study Team processes are utilized at school sites. Pertinent student information is collected to develop student action plans. These plans specify and monitor the student's progress while he/she is receiving general education research-based interventions in areas of concern. Nonetheless, all requested referrals for special education evaluation are processed according to legal mandates.
- Private School students: 3 years - 21 years: Consultation is completed annually with representatives of private schools regarding procedures for the identification, location and evaluation of students enrolled at those schools. The SELPA policy "Children with Disabilities Voluntarily Placed by Their Parents in Private Schools" delineates the consultation process utilized in an effort to identify students with disabilities.
- 0-21: SELPA and district staff collaborate with community agencies such as Head Start, the Office of Employment and Training, the Department of Rehabilitation, San Diego Regional Center to assure that all individuals with disabilities are identified.
- South County SELPA staff provide procedural support and guidance to member districts in their efforts to carry out all Child Find activities.

Additionally, South County SELPA member districts ensure that Child Find procedures include the written notification of all parents of their rights (Procedural Safeguards), and the steps

necessary for initiating a referral for assessment to identify children with exceptional needs. South County SELPA district staff complete all legally mandated referral procedures, including that persons making verbal referrals will be offered assistance by district staff to complete that referral in writing.

SOUTH COUNTY SELPA

POLICY: 2002-IEP

**APPROVED: 10/16/02
REVISED 3/21/2007;
12/13/2017**

INDIVIDUALIZED EDUCATION PROGRAM (IEP)

FEDERAL REQUIREMENTS:

IEP

20 USC § 1401(14)

20 USC §1412(a)(4)

20 USC §1414(d)

34 CFR § 300.321

34 CFR § 300.322

IFSP

20 USC §1412(a)(4)

20 USC §1436

34 CFR § 300.24

34 CFR § 300.323(b)

STATE REQUIREMENTS

IEP

EC § 56205(a)(4)

EC § 56380

EC § 56303

EC § 56320 - 56321.5

EC § 56323

EC § 56330

EC § 56340

EC §§ 56341 - 56347

EC § 56380 - 56380.1

EC § 56383

EC 56195.7

IFSP

EC § 56320.1

EC §56340.1

EC § 56426.8

GC § 95020

17 CCR § 52108

This South County SELPA policy defines the basic objectives and requirements of the Individualized Education Program (IEP) and the Individualized Family Service Plan (IFSP). The SELPA member districts ensure that all stipulations regarding the development, contents, timelines, revision, team meeting parameters, membership and/or other particulars of each IEP and IFSP will be adhered to as per state and federal law and regulations [20 USC § 1414; 34 CFR §§ 300.320 - 300.324].

It is the intent of the California legislature that IEP teams and team meetings be nonadversarial, and are convened solely for the purpose of making educational decisions for the good of the student with exceptional needs [EC 56341.1(h)]. This policy promotes mutual respect, civility, and orderly conduct among all parties involved in the IEP process.

IEP

The IEP is a written statement for a student that is developed, reviewed and revised according to strict legal requirements [34 CFR §§ 300-320 - 300.324]. This policy is not intended to be a comprehensive synopsis and/or listing of the requirements for the development, contents, team meeting and membership, timelines, revision and all other aspects of an IEP and the IEP process.

The South County SELPA member districts ensure that each district will initiate and conduct IEP team meetings for the purposes of developing, reviewing, and revising the IEP of each school-age individual with exceptional needs residing within the districts who is, or may be eligible for special education and related services under the Individuals with Disabilities Education Act (IDEA Part-B).

IEP team meetings will be convened not less than annually in order to determine whether the pupil's annual goals are being achieved, the appropriateness of the placement, and to revise the student's educational program and IEP, as appropriate [EC 56343]. IEP team members shall additionally meet to address:

- To discuss the results of a special education assessment or reassessment
- A request of a parent or teacher to develop, review or revise the IEP
- The student's lack of expected progress toward the annual goals, and in the general education curriculum, where appropriate
- Information about the pupil provided to, or by, the parents or guardians

Additionally, IEP teams will meet as required for special circumstances, including but not limited to a pupil's transition from Part C (Infant/Toddler) to Part B (school-age IDEA) services; a change of district attendance, ex. transition to secondary school; and transition to and from Adult Transition Programming. It shall be the policy of the member districts of the South County SELPA that reassessment of a student with a disability shall be conducted at least once every three years, or more frequently, if appropriate.

Each local district will take the required action necessary to ensure that one or both parents of the student are present at each IEP meeting. If a parent cannot attend a proposed meeting, other methods will be used to afford the opportunity for parent participation.

When developing a pupil's IEP, the team members must consider:

- The strengths of the pupil
- The concerns of the parents
- The results of any recent assessments
- The academic, functional and behavioral needs of the pupil
- The use of positive behavioral interventions as needed
- The language needs of a pupil with limited English proficiency

- Any special needs of pupils who are blind or visually impaired, deaf or hard of hearing
- Whether the student requires assistive technology

All special education and related services determined by the IEP team to be required for a student's free appropriate public education (FAPE) will be listed on the IEP, as well as details regarding those services. SELPA districts establish that each student with a disability will be provided with the services included in his/her IEP, regardless of which district, agency, or non-public school is the provider of a service. No services will be provided to a student without prior parent consent.

IEPs and Least Restrictive Environment (LRE)

Pupils residing in SELPA districts will be referred for special education instruction and services only after the resources of the regular education program have been considered and, where appropriate, utilized [EC 56303].

The South County SELPA ensures that to the maximum extent determined to be appropriate, all students with disabilities, including children in public or private institutions or other care facilities, are educated in a regular educational environment with children who are not disabled. The least restrictive environment (LRE) for students is the one determined by the IEP team to meet the needs of the student. Any potentially harmful effects on the student or on the quality of services will be considered by the IEP team when determining the LRE. Students receiving special education and related services will have equal access to campus activities and facilities, including general education curriculum and nonacademic and extra curricular activities.

Special class placement and and/or separate schooling away from the general education environment occurs only when the nature or severity of student's disability is such that education in regular classes, even with the use of supplemental aids and services and modifications cannot be achieved satisfactorily.

Additionally, the SELPA ensures that specialized equipment and services will be distributed among the member districts in a manner that maximizes the opportunities to serve each student in the least restrictive environment, and as close to the student's home as possible.

IFSP

It is the policy of the South County SELPA and districts that all eligible infants and toddlers aged birth through 2 years will have an Individualized Family Service Plan (IFSP) and receive early intervention services through the Interagency Agreement between the San Diego Regional Center and the San Diego County Office (SDCOE) for California Early Start. These services are also referred to as Part C of the Individuals with Disabilities Education Act (IDEA).

The IFSP is a written document that includes the child's present levels of development in the areas of physical, health, cognitive, communication, and social, emotional and adaptive development. Additional components of the IFSP include: family concerns, major outcomes expected to be achieved when appropriate, criteria for measuring progress, a statement of the specific early intervention services necessary to meet the needs to the child along with the expected date of service initiation, a statement of medical and other services that the child or family needs or is receiving through other sources, and the name of the service coordinator responsible for the implementation of all early intervention services, including the transition of the child to Part B services before the child reaches 3 years of age.

The IFSP is evaluated at least once each year. In addition, a review of the plan is provided to the family every 6 months or more often when needed. These reviews are conducted to determine the degree of progress that is being made, and whether modification or revision of the outcomes and/or services is necessary.

All IFSP meetings are conducted in settings and at times that are convenient for the family, and in the native language or other mode of communication used by the family. Meeting arrangements are made with written notice provided early enough to afford all team members an opportunity to participate.

This document is in effect until replaced by a revised interagency agreement by all participating agencies.

SOUTH COUNTY SELPA POLICY: 2016-IEE APPROVED: 5/11/16	INDEPENDENT EDUCATIONAL EVALUATIONS
--	--

This policy sets forth the procedures under which children with disabilities are entitled to an IEE at public expense.

Definitions

Independent Educational Evaluation (IEE) means an evaluation conducted by a qualified examiner who is not employed by the responsible local educational agency.

Qualified Examiner is an evaluator who is competent to perform the evaluations through criteria established by the LEA in accordance with Education Code, Section 56322.

Public expense means that the local educational agency either pays for the full cost of the evaluation or ensures that the evaluation is otherwise provided at no cost to the parent or guardian.

Local educational agency (LEA) means the school district or county education office that is responsible for providing educational services to a child with a disability.

Parent Requests for Independent Educational Evaluations (IEE)

Parents have the right to an independent educational evaluation at public expense if they disagree with an evaluation completed by the Local Education Agency (LEA). Parents may only request one IEE in response to each evaluation completed by the LEA. Parent must make a request for an IEE within two years of the date of presentation of the assessment with which they disagree consistent with the statute of limitations.

If the parents request an independent educational evaluation at public expense, the parents will be asked the reason why they object to the evaluation conducted by the LEA. The LEA may not, however, require the parents to explain their reasons and may not unreasonably delay either providing an independent educational evaluation at public expense or initiating a due process hearing to defend its evaluation. If the LEA initiates a hearing and the final decision is that the evaluation conducted by the LEA was appropriate, the parent/guardian still has the right to an IEE, but not at public expense.

Procedures for Parents When Requesting an IEE at Public Expense

Parents must indicate in writing to the LEA or inform the LEA at an IEP meeting that they disagree with an evaluation conducted by the LEA and that they are requesting an independent educational evaluation at public expense. If the parent makes an oral request for an IEE, LEA staff shall offer to assist the parent in putting the request in writing and shall assist the parent if the parent so requests. The following information should be included in the request:

- a. Specific area(s) of disagreement or disputed in the District's assessment
- b. Requested area(s) of assessment
- c. Questions or issues with the District's assessment that would be addressed by the IEE; and
- d. If a specific IEE evaluator is desired, the name must be provided so that the District may consider the background, qualifications, and fees charged by the assessor.

Procedures for Districts when Parents Request an IEE at Public Expense

Once the parent communicates his/her disagreement with the evaluation(s) completed by the LEA and requests an IEE at public expense, the following procedures will be followed:

1. The parent will receive a copy of this IEE policy, which includes the agency criteria for independent educational evaluations.
2. The District will consider the request, without unnecessary delay, and provide a Prior Written Notice stating whether the District is providing or denying the publicly funded IEE assessment. If the District agrees to provide the IEE at public expense, the District will seek additional information:
 - a. Assessor qualification, credentials, and/or licensure (if the assessor is not identified on the IEE Assessors list)
 - b. Assessor geographic location; and
 - c. Assessor fees.^{1, 2}
3. The parent will be provided with a list of potential evaluators and how these evaluators may be contacted. The list is not intended to be exhaustive and is not intended to limit a parent's options in obtaining an IEE from other qualified professionals who meet the agency criteria outlined in this policy.
4. In the event that a parent/guardian requests to utilize an evaluator who does not meet agency criteria, the LEA shall provide the parent the opportunity to demonstrate that there are unique circumstances to justify their selection of such an evaluator. The LEA will then make a determination if the use of the requested evaluator that does not meet agency criteria is warranted, and respond to the parent with a prior written notice.
5. The completed assessment must comply with the location limitations for the evaluation, the minimum qualifications for the examiner, cost limits, and use of approved instruments.
6. Parents will be required to sign a release and exchange of information between the IEE evaluator(s) and the LEA.
7. If the District and parents proceed with a contract, the assessor will need to provide a taxpayer identification number.
8. Independent education evaluators will be requested to write reports focusing on the "unique needs" of the child. Independent education evaluators will be requested not to identify specific providers of special education programs and services as to avoid any possible "conflict of interest" situations. Evaluators must be knowledgeable of and agree to comply with all provisions of the Federal Code of Regulations (IDEA) and California Education Codes governing special education, to include the criteria required to make recommendations for eligibility.

¹The fees should include an all-inclusive rate, to include the assessment, written report, travel, protocols, and attendance at the IEP team meeting.

²The proposed fees must be both reasonable and customary, similar to those performed by qualified professional in the local area.

9. If the parent is seeking reimbursement for the IEE assessment, the parent is responsible to ensure that the IEE provider comports with the South County SELPA's Independent Educational Evaluation Policy prior to the District funding the IEE. If the District does not agree to provide the IEE at public expense, the District must file for due process, without unnecessary delay, to demonstrate that its assessment was appropriate.

If the parent obtains an IEE at private expense, the results of the evaluation (if the evaluation meets the agency criteria) must be considered by the LEA in making educational decisions as required by the Individuals with Disabilities Education Act. The evaluation may also be presented as evidence at a due process hearing regarding the child.

Conflict of Interest

To ensure the independence of the evaluation and any recommendations therein, the District will not contract with an independent evaluator who is providing current, ongoing services to the student or who is sought to provide future services to the student. Likewise, if the independent evaluator recommends a particular service and the IEP team agrees to that service, in its discretion, the District may not fund the service through the independent evaluator.

Independent Evaluations Not Funded by the Local Education Agency (LEA)

The LEA does not have an obligation to reimburse parents/guardians for privately obtained evaluations completed prior to the date that the LEA's evaluation is completed and discussed at an IEP Team meeting.

Consideration of Independent Educational Evaluations

Independent educational evaluations are designed to determine the educational needs of students with disabilities. The LEA is responsible for offering appropriate placements and services. Therefore, the LEA will consider recommendations contained in independent educational evaluations completed in accordance with this policy and its implementing procedures and criteria. Independent educational evaluations, however, will not control the LEA's determinations regarding eligibility for special education, appropriate goals, objectives and/or placement recommendations and may not be considered if not completed by a qualified professional.

Reimbursement for Completed Independent Educational Evaluations

If parents/guardians request reimbursement for a completed IEE, the evaluation must meet the agency criteria included in this policy. It is the responsibility of the director/coordinator of the LEA to determine whether the completed IEE meets the agency criteria. Once the LEA receives a request for reimbursement, the special education administrator shall respond to the parent/guardian in a timely manner.

The parents will be promptly reimbursed for the costs of the previously obtained IEE if it meets the agency criteria as determined by the special education administrator for the LEA and the LEA does not elect to request a due process hearing. Reimbursement for IEE assessments shall be limited to the cost limitations set forth in this policy. If the LEA files for a due process hearing, the parents will not

be reimbursed for the cost of the evaluation unless the LEA is ordered to reimburse the parents pursuant to a due process hearing decision.

The criteria, under which an IEE is obtained at public expense, including the location limitations for the evaluation, minimum qualifications of the examiner, cost limits, and use of approved instruments, must be consistent with the criteria set forth in this policy. In the event that the parent believes that due to the unique needs of their particular child it is necessary to select an assessor who does not meet agency criteria, Parent will be given an opportunity to explain factors that make such a selection necessary.

Parents will be required to sign consent for the evaluation and appropriate releases to exchange information between the independent educational evaluator and the LEA as a prerequisite to the payment or provision of an IEE.

Independent evaluators must agree to release their assessment information, original testing protocols, report, and results to the LEA prior to receipt of payment for services. The results of the IEE will be considered in the diagnosis, program decisions, and placement of the child with disabilities as required by the Individuals with Disabilities Education Act.

If the LEA observed the child in conducting the evaluation with which the parents disagree or if its assessment procedures allow in-class observations, the independent examiner will be provided with an equivalent opportunity to observe the child in the current educational setting and to observe the LEA's proposed setting, if any. This opportunity shall also be provided if the parents obtain an evaluation at private expense.

The LEA shall define the nature and scope of an independent examiner's in-class observations consistent with the right to an equivalent opportunity to observe, but also consistent with its obligations to prevent unnecessary disruption in the class and to protect the privacy interests of other students. These parameters may include, but are not limited to, identifying the time constraints of such observation, district personnel who will participate in the observation and restrictions on student/teacher interactions.

To prevent unnecessary disruption in the classroom and to protect the privacy interests of other students but provide an independent examiner an equivalent opportunity to observe the student, observations are subject to reasonable restrictions outlined in District policy or practice. Reasonable restrictions include, but are not limited to, the following: 1) scheduling the observations per Board policy; (2) identifying reasonable time limitations; (3) identifying District personnel to accompany the independent evaluator during the observations; and (4) outlining reasonable restrictions on interacting with the student and teacher during classroom instruction.

Evaluators

IEE Evaluators must be located within the boundaries of San Diego County. Evaluators outside of this area will be approved only on an exceptional basis by the LEA/district if the parents or the LEA can demonstrate there is a unique need for a specialized evaluation and that there are no qualified evaluators within the specified area who can appropriately assess their child's educational needs. IEE Evaluators will be paid the federal business mileage reimbursement rate for required travel if assessor is located outside of San Diego County associated with the assessment to the student's school of attendance.

Cost Limitations for Evaluations

The cost of an IEE shall be comparable to those costs that the LEA incurs when it uses its own employees or the going rate in the area for contractors to perform a similar assessment. Costs include: observations, record review, administration and scoring of tests, report writing, and attendance in person or by phone at an IEP Team meeting. Reimbursement will be in an amount no greater than the actual cost to the parent and will be subject to proof of payment. The following cost limitations have been agreed upon by the governing Board of the South County SELPA:

Type of Assessment	Qualifications	Rate*
Academic Achievement	<ul style="list-style-type: none"> • Credentialed Special Education Teacher • Credentialed School Psychologist • Licensed Educational Psychologist 	\$500-\$800
Assistive Technology/ Augmentative Alternative Communication	<ul style="list-style-type: none"> • Credentialed or Licensed Speech/Language Pathologist • Certified Assistive Technology Specialist • Licensed Occupational Therapist • Credentialed School Psychologist 	\$500-\$1,060
Auditory Processing	<ul style="list-style-type: none"> • Licensed or Certificated Audiologist • Credentialed School Psychologist • Licensed Educational or Clinical Psychologist • Credentialed or Licensed Speech/Language Pathologist 	\$485-\$685
Behavior/Functional Behavior	<ul style="list-style-type: none"> • Credentialed School Psychologist • Licensed Educational or Clinical Psychologist • Credentialed Special Education Teacher 	\$750-\$2,400
Full Psycho-Educational (includes, but is not limited to, academic, adaptive, basic psychological processing, behavior, cognition, and social-emotional)	<ul style="list-style-type: none"> • Credentialed School Psychologist • Licensed Psychologist • Licensed Educational Psychologist • Clinical Psychologist • Credentialed Special Education Teacher (academic only) 	\$1,500 - \$3,500
Mental Health	<ul style="list-style-type: none"> • Credentialed School Psychologist • Licensed Clinical Social Worker(s) • Licensed Marriage Family Therapist • Licensed Clinical Psychologist 	\$700 - \$1,545
Motor (Fine or Gross)	<ul style="list-style-type: none"> • Credentialed Adapted Physical Education Teacher • Registered/Licensed Occupational Therapist • Licensed Physical Therapist 	\$900 - \$1,000
Neuropsychological	<ul style="list-style-type: none"> • Credentialed School Psychologist 	\$1,500 - \$3,500

	with Certification/License in Neuropsychology <ul style="list-style-type: none"> • Credentialed or Licensed Neuropsychologist 	
Speech and Language	<ul style="list-style-type: none"> • Credentialed or Licensed Speech/Language Pathologist 	\$750 - \$900
Visual Acuity and Perception	<ul style="list-style-type: none"> • Credentialed Teacher of the Visually Impaired • Credentialed School Nurse • Vision Specialist • Credentialed Orientation and Mobility Instructor • Ophthalmologist/Licensed Optometrist 	\$460 - \$610

***Allowable Rate or *Range (depending on the tasks performed and/or type of licensure of assessor)**

When insurance will cover all or partial costs of the IEE, the LEA will request that the parent voluntarily have their insurance pay the IEE costs covered by their insurance. However, parents will not be asked to have insurance cover independent evaluation costs if such action would result in a financial cost to the parents including, but not limited to the following:

1. A decrease in the available lifetime coverage or any other benefit under an insurance policy;
2. An increase in premiums or the discontinuance of the policy; or
3. An out-of-pocket expense such as payment of a deductible amount incurred in filing a claim unless the parent is willing to have the LEA reimburse them for the amount of the deductible.

As part of the contracted evaluation, independent evaluators must:

- attend relevant IEP Team meetings by phone or in person to discuss their findings
- provide protocols of the assessments
- provide a written report prior to the IEP Team meeting, and
- observe student in educational setting

The written report must meet the requirements of the Individuals with Disabilities Education Act and California Education Code Section 56327.

Evaluators must meet qualifications specified in education code or they will not be approved unless the parent can demonstrate the appropriateness of using an evaluator meeting other qualifications. (E.C. 56320(b)(3); E.C. 56329)

The South County SELPA will maintain a courtesy list of potential Independent Educational Evaluation (IEE) evaluators who have agreed to the agency's criteria; however, the South County SELPA or its member LEAs/districts do not endorse the evaluators listed and are not responsible for any liability that may arise from use of any evaluator listed. It is recommended that parent/guardians request a copy of potential evaluators' resumé or vitae, ask for references, and request a written

proposal that includes the itemized costs for the evaluation including writing the report and attending the IEP meeting, prior to making a final selection. It is recommended that parent/guardians contact the LEA/district prior to making the final selection of an IEE evaluator to ensure that the evaluator meets the agency's licensures/credentialing criteria.

(EDUCATION CODE 56329; 56506)
(CALIFORNIA CODE OF REGULATIONS 3022)
(GOVERNMENT CODE 7572)

Enclosures:

IEE Authorization Letter

List of Independent Evaluators

Procedural Safeguards

SOUTH COUNTY SELPA POLICY: PS 2002 APPROVED: 10/16/02 REVISED: 9/20/06, 5/10/17	PROCEDURAL SAFEGUARDS
--	------------------------------

FEDERAL REQUIREMENTS**20 USC 1415****CALIFORNIA REQUIREMENTS****56205(a)(6)****56195.8(b)(3)****56500.1****56195.7(b)****56301(d)(2)**

The South County SELPA and its member districts ensure that all procedural safeguards with respect to the provision of a free and appropriate public education (FAPE) under Part B of the Individuals with Disabilities Education Act (IDEA) will be established and maintained within the districts. The Notice of Procedural Safeguards is the written notification provided to parents informing them of their procedural safeguards.

The Notice of Procedural Safeguards will be available upon request at all times to parents of all students. Additionally, a copy will be given to parents of a child with a disability one time a year, and upon the initial referral for special education services or a parent request for evaluation; the first state complaint and/or due process filing of the school year, and in accordance with discipline procedures.

The South County SELPA Notice of Procedural Safeguards is distributed to parents upon request in the language or mode of communication used by the parent unless it is not feasible to do so.

<p>SOUTH COUNTY SELPA</p> <p>POLICY: PRIVATE SCHOOL</p> <p>APPROVED: 2/16/00 REVISED: 1/18/07; 4/1/09; 12/13/2017</p>	<p>CHILDREN WITH DISABILITIES VOLUNTARILY PLACED BY THEIR PARENTS IN PRIVATE SCHOOLS</p>
--	---

FEDERAL REQUIREMENTS

20 USC § 1412(a)(10)(A)

34 CFR §§ 300.130 - 300.134

STATE REQUIREMENTS

EC § 56205(a)(10)

EC §§ 56170 - 56174

EC §§ 56174.5

EC §§ 56175 & 56177

EC §§ 56300 - 56303

EC §§ 56323

EC §§ 48222 & 48224

The South County SELPA and member districts ensure that all state and federal obligations to locate and identify all children with disabilities enrolled by their parents in private elementary and secondary schools will be completed. This policy applies only to children determined to be eligible for special education and related services who are voluntarily enrolled by their parents in private schools when there is no dispute regarding a Free Appropriate Public Education (FAPE).

A child eligible for special education and related services who is voluntarily enrolled by his parents in a private school has no individual right to receive some or all of the services under the Individuals with Disabilities Education Act (IDEA) that the child would receive if he were enrolled in a public school.

The following components provide an explanation of the South County SELPA policy regarding children with disabilities who are voluntarily enrolled by their parents in private schools:

I. Definitions

District of Residence, (“DOR”): As used in this document, the district of residence refers to the school district within which boundaries the child with a disability resides.

District of Private School, (DOPS’): As used in this part, DOPS refers to the school district where the private school or facility is located.

Private School Children with Disabilities: As used in this document, “private school children with disabilities” means children with disabilities enrolled by their parents in private, including religious, schools or facilities.

Private School or Facility: As used in this document, “private school or facility” means: (1) private full-time day school pursuant to California Education Code (EC) § 48222 (including religious schools); (2) private tutor pursuant to EC§ 48224;s and/or (3) any other California Department of Education (CDE)- identified educational institution, program, arrangement, or facility not sponsored, maintained, or managed by the school district and for which the school district does not collect average daily attendance funds; (4) CDE authorized private school affidavit.

II. Consultation

The DOPS shall consult with private school representatives and parents of parentally placed private school children with disabilities during the design and development of special education and related services for the children, regarding:

- A. The child find process and how parentally placed private school children suspected of having a disability can participate equitably, including how parents, teachers, and private school officials will be informed of the process:
- B. The determination of the proportionate amount of Federal funds available to serve parentally placed private school children with disabilities under this subparagraph, including the determination of how the amount was calculated:
- C. The consultation process among the local educational agency, private school officials, and representatives of parents of parentally placed private school children with disabilities, including how such process will operate throughout the school year to ensure that parentally placed private school children with disabilities identified through the child find process can meaningfully participate in special education and related services:
- D. How, where, and by whom special education and related services will be provided for parentally placed private school children with disabilities, including a discussion of types of services, including direct services and alternate service delivery mechanisms, how such services will be apportioned if funds are insufficient to serve all children, and how and when these decisions will be made.

Following the consultation process, the DOPS will notify the respective private schools indicating what the DOPS determined regarding services to private school children with disabilities ages five (5) to twenty-two (22) who are determined to be eligible for special education services.

If the local educational agency disagrees with the views of the private school officials on the provision of services or the types of services, either provided directly or through a contract, the local educational agency shall provide to the private school officials a written explanation of the reasons why the local educational agency chose not to provide services directly or through a contract.

When timely and meaningful consultation as described above has occurred, the DOPS shall obtain a written affirmation signed by the representatives of participating private schools and, if such representatives do not provide such affirmation within a reasonable period of time, the DOPS shall forward the documentation of the consultation process to the State Educational Agency.

III. Funding for Private School Services

One time each year, on December 1, each DOPS will calculate the proportionate share of the federal dollars that must be spent on parentally placed students in private schools. A count of private school students who have been evaluated and are deemed eligible for special education services, shall be conducted based on the number of students with disabilities, including students in private schools. Based on the calculation of the total number of children with disabilities attending private schools in its jurisdiction, each DOPS must spend the proportionate share of its federal grant under Part B on providing special education and related services for parentally placed-private school children with disabilities.

IV. Private School Complaint Procedure

A private school official has the right to submit a complaint to the California Department of Education if:

- A. The DOPS's consultation was not meaningful and timely, or
- B. The DOPS did not give due consideration to the views of the private school official.

If a complaint is filed:

- A. The private school official must provide the basis of the complaint of noncompliance, and
- B. The DOPS must forward the appropriate documentation to the CDE.

If the private school official is dissatisfied with the decision of the CDE, he/she may appeal the decision to the U.S. Department of Education.

V. Child Find

- A. The DOPS shall undertake the following child-find activities with regard to private school children in Kindergarten to age twenty-two (22):
 - 1. Consult with representatives of private school children with disabilities regarding the child-find process, including, but not limited to, criteria for special education eligibility and special education referral procedures under federal and state laws and regulations.
 - 2. Distribute materials to representatives of private school children with disabilities regarding issues including, but not limited to, criteria for special education eligibility and special education referral procedures under federal and state laws and regulations.
 - 3. The proportionate share of federal funds described in this document shall not be used for child-find activities.
- B. The DOPS shall ensure child-find activities undertaken for private school students are comparable to activities undertaken for children with disabilities in Kindergarten to age twenty-two (22) in public schools. Child-find activities shall include consultation with representatives of private school children regarding how to conduct child-find activities.

VI. Special Education Referral

- A. Students shall be referred for special education instruction and services only after the resources of the general education program have been considered and, where appropriate, utilized.
- B. If after considering, and where appropriate, utilizing general education resources, representatives of private school children with disabilities (including private school administrators, teachers, and parents) determine that a private school child may be eligible for special education services, a referral shall be directed to the DOPS representative.
- C. The DOPS shall notify the DOR of referral. It is the responsibility of the DOR to establish residence.
- D. The DOPS, in consultation with the DOR, will develop an evaluation plan clearly indicating which district will conduct each part of the evaluation, if appropriate. The DOPS is ultimately responsible for the evaluation.
- E. The DOPS shall report the student in CASEMIS.

VII. Procedures Determining Eligibility for Special Education Services

- A. Upon completion of the evaluation, the DOPS shall schedule an Individualized Education Program (IEP) meeting to review the assessments and determine eligibility for special education services.
- B. The DOPS shall invite representatives of both the DOR and the private school (including the teacher) to the IEP meeting. If the private school representative cannot attend, the DOPS shall use other methods to ensure participation by the private school, including individual or conference telephone calls.
- C. The IEP team, including DOR and/or DOPS representatives, shall document the eligibility decision in accordance with applicable state and federal laws and regulations. If the child is eligible for special education and related services as a child with a disability, the DOPS shall develop a proposed Individual Services-Plan (ISP) in accordance with the service plan option(s) determined during collaboration with the private school representatives.
- D. If the team has determined that the pupil is eligible for special education and related services, the DOR will, within the 60-day timeline, develop an IEP reflecting an offer of FAPE for the student, in accordance with the evaluation results and the IEP team's determination of eligibility for special education and related services.
- E. If the parents agree with, and consent to the IEP developed by the IEP team, the parent shall enroll the child in the DOR public school and the IEP shall be implemented without delay.

If the parents of a private school child with a disability agree with but decline the IEP developed by the IEP team, the IEP team shall ask the parents to indicate their agreement with the following statement on the student's IEP form: "I agree that the [District of Residence] has offered to my child a free appropriate public education, including appropriate services in special education. However, I am declining that offer and voluntarily placing my child in a private school."

It should be explained to the pupil's parents and documented in the IEP that should the parents decide to enroll the pupil in public school in the future, the public school of attendance will take steps to update the IEP through the IEP team process.

VIII. Individualized Service Plan

- A. After consultation with representatives of private school children with disabilities, the school districts in the South County SELPA of San Diego developed the

following plan or the provision of services through the Individualized Services Plan (ISP):

1. No child with a disability who is enrolled in a private school has an individual right to receive some or all of the special education services that the child would receive if enrolled in public school.
2. Based on each district's proportionate share, and in consultation with the Special Education Director or his/her designee, speech therapy and/or resource specialist services/specialized academic support(SAI) will be provided to eligible private school children ages kindergarten through age 22 attending a private school within the district boundaries pursuant to IDEA.
3. The speech services will be comprised of consultation to private school staff and parents and monitoring of student progress on specified ISPs by speech therapists and/or trained speech assistants, consistent with the limits of federal funding.
4. The resource specialist services/SAI can be comprised of consultation to private school staff and parents, or, as appropriate, professional development, identification and/or provision of appropriate materials, technology, or other instructional supports.
5. The services may be provided at the private schools, including parochial schools, to the extent that these services are consistent with state and federal law. However, the DOPS shall not use funds allocated for services to students with disabilities to finance the existing level of instruction in a private school or otherwise benefit the private school.
6. No District will be required to expend more than their proportionate share in order to provide services to students served on an ISP. Should the proportionate share of funds be expended prior to the end of the school year, services would be suspended until the beginning of the next school year. At that time the LEA would re-evaluate the plan for provision of services based on the number of students to be served and the appropriate proportionate share.

IX. IEP Meetings after the Initial IEP Team Meeting

- A. All children with disabilities eligible for special education are entitled to receive a Free Appropriate Public Education (FAPE) from their District of Residence (DOR) if they are enrolled in public school. One year after an eligible private school child's initial IEP team meeting, and annually thereafter, the DOR shall notify the child's parents in writing that the DOR:
 1. Continues to offer a FAPE in accordance with federal and state laws and regulations:

2. Is ready, willing, and able to schedule an IEP team meeting for their child in order to offer the child a FAPE, subject to assessment, if appropriate, if the parents express an interest in enrolling their child in public school.

Unless Paragraph IX B below applies, the parents shall be requested to send the document back to the DOR and indicate their agreement with one of the following statements:

1. I understand that the District of Residence continues to offer my child a free appropriate public education (including appropriate special education and related services) if he/she is enrolled in public school. I continue to unilaterally place my child in a private school; and:

___ I would like my child to continue to receive services pursuant to his/her ISP. I am not interested in enrolling my child in public school.

(In this case, the District of Residence will forward within 3 business days a copy of this document to the DOPS.)

OR

___ I am interested in enrolling my child in public school. I would like to schedule an IEP team meeting for my child. Please call me at: [parent inserts phone number] in order to schedule the IEP meeting.

2. If the parent does not respond to the notification, the DOPS shall assume that the parent is not interested in enrolling the child in the public school.

- B. Notwithstanding Paragraph IX A above, the DOR shall convene an IEP team meeting at least every three years in order to determine continuing eligibility for special education.

X. Dispute Resolution

- A. When FAPE is not at issue, special education due process procedures are not available to parents for resolving disagreements about the services provided to private school children unilaterally placed by their parents.
- B. Neither the DOPS nor the DOR are required to pay for the cost of educating a child with a disability at a private school (including special education and related services if: (1) the DOR made a FAPE available to the child, and (2) the parents voluntarily elected to place their child in a private school.
- C. Dispute regarding whether the DOR made a FAPE available to the child may be resolved pursuant to local policies and procedures and/or by filing a request for a due process hearing with the Office of Administrative Hearings.

SOUTH COUNTY SELPA POLICY: 2002-CSPD/PERS APPROVED: 10/16/02 REVISED: 5/10/17	COMPREHENSIVE SYSTEM OF PERSONNEL DEVELOPMENT/PERSONNEL STANDARDS
--	--

FEDERAL REQUIREMENTS

20 USC 1413 (a) (3)

20 USC §1412(a)(14)

34 CFR § 300.156

CALIFORNIA REQUIREMENTS

EC § 56240; 56241

EC § 56205(a)(13)

EC § 56070

The South County Special Education Local Plan Area (SELPA) and member districts ensure that a comprehensive staff development program will be provided for regular and special education teachers, administrators, other certificated and classified employees, volunteers, community advisory committee members, and, as appropriate, members of the district and county governing boards. The SELPA will coordinate the development of staff development with member districts and San Diego County Office of Education (SDCOE) staff development programs, including school level staff development programs authorized by state and federal law. Some trainings are offered at the local level, while others are offered outside the districts. The specific needs of special education personnel are identified early during each school year, and personnel participate in staff development opportunities based upon their individual needs for continued professional development.

SELPA staff development programs will be structured according to State mandate to include the following:

- a) Provision of opportunities for the SELPA and member district administrators, personnel paraprofessionals, and volunteers to participate in development activities pursuant to a systematic identification of pupil and personnel needs.
- b) Provision of opportunities to the SELPA and member district administrators, teachers, other participating personnel, students with exceptional needs and parents of such students to be involved in the design and implementation of staff development programs.
- c) Professional development activities and programs that provide opportunities for experiential, hands-on and reflective learning to include but not be limited to various size groups (small, medium and large), self-directed learning, and systematic observation during visits to other classrooms or schools.

- d) Allowing time set aside for professional learning throughout the year, including, but not limited to, time when participating school personnel are released from regular duties.
- e) The evaluation and modification of staff development programs and activities on an ongoing basis with participating personnel, and with the aid of outside consultants as necessary.
- f) Inclusion of school administrative personnel as active participants in one or more staff development activities.
- g) Provision of an annual budget for reasonable and necessary expenses relating to staff development programs.

The South County Special Education Local Plan Area (SELPA) and member districts ensure that all personnel, including special education teachers and personnel and paraprofessionals providing related services, are appropriately and adequately trained in accordance with all state and federal mandates. The SELPA and member districts will take measurable steps to recruit, hire, train, and retain highly qualified personnel to provide special education and related services to children with disabilities residing within the SELPA districts. Recruitment activities will include but not be limited to:

- Working closely with the San Diego County Office of Education to attract qualified candidates
- Advertising with local newspapers and institutions of higher learning
- Posting position announcements on member district websites
- Recruiting staff at local, state and national conferences and recruitment fairs

This policy shall not be construed as to create a right of action on behalf of an individual student for the failure of the SELPA or a member district staff person to be highly qualified, or to prevent a parent from filing a complaint about staff qualifications with the state agency.

SOUTH COUNTY SELPA POLICY: STATE ASSESSMENT APPROVED: 10/16/02; 12/13/2017	PARTICIPATION IN STATE ASSESSMENT
---	--

FEDERAL REQUIREMENTS

20 USC §1412(a)(16)

STATE REQUIREMENTS

EC § 56205(a)(15)

The South County SELPA ensures that all students with disabilities will have the opportunity to participate in state and districtwide assessments, including alternate assessments, in accordance with the Individuals with Disabilities Education Act (IDEA). All students with disabilities will be provided with the accommodations, guidelines, and alternate assessments required by their respective Individualized Education Program (IEP).

At least annually, the IEP of each student receiving special education services under IDEA will be reviewed to include the determination of the need for any alternate assessments, accommodations and/or modifications to be used by the student during all instructional and testing activities.

SOUTH COUNTY SELPA

POLICY: 2002-CS

APPROVED: 8/30/99

CHARTER SCHOOL POLICY

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

This policy shall apply to all Charter Schools that are chartered as public schools by local educational entities located within the South County SELPA, including the San Diego County Office of Education, or who have applied to participated in the Local Plan for the South County as an Local Education Agency pursuant to Section 47640. As students enrolled in charter schools are entitled to special education services provided by State and Federal funding, the charter schools shall comply with all requirements of the Local Plan through their participation as a public school within a member LEA of the SELPA or as an LEA approved to participate in the plan.

Policy Statement

Special education and related services shall be provided to all eligible individuals within the jurisdiction of the South County SELPA in accordance with this Local Plan. Students enrolled in charter schools chartered by member districts shall receive services in a manner similar to other students. No governing board shall grant a charter unless the charter includes assurances that special education instruction and/or services shall be provided to all eligible disabled students, enrolled in the charter school, in accordance with the federal law, SELPA local plan, and IDEA.

Funding for special education services, participation in the governance structure and responsibility for provision of services shall be based on whether the charter school operates as a public school within the District, or operates as a Local Education Agency (LEA) for the purposes of special education. Education Code section 47640 et seq., added in 1999, allows a charter school to operate as public school within the District or as a LEA. If the approval of a charter requires a change to the SELPA allocation plan, such change will be adopted pursuant to the policy making process of the SELPA.

1. SELPA Involvement with Approval and Renewal of Charters

Prior to approval of a new charter, or renewal of an existing charter, the superintendent or designee of the chartering entity should consult with the SELPA Director regarding the provision of special education services to students enrolled by the charter school. The petition presented shall provide adequate assurances that all eligible students enrolled in the charter school will receive appropriate special education services in accordance with the South County SELPA local plan. The charter shall provide assurances that no student otherwise eligible to enroll in the Charter School will be denied enrollment due to a disability or the charter schools inability to

serve the student. The SELPA shall assist the chartering entity in calculating the potential fiscal risks that may be associated with granting the requested charter.

In order to be approved, the charter shall delineate the entity responsible for providing special education instruction and services, any anticipated transfer of special education funds between the granting entity and the charter school and any provisions for sharing deficits in funding. These provisions may be included in a Memorandum of Understanding between the chartering agency and charter school.

2. Categories of Charter Schools

A Public School within a District

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

The chartering district shall receive all applicable special education funds, as outlined in the SELPA allocation plan. The chartering district shall represent the needs of charter schools, like other schools within the district, in the SELPA governance structure. The chartering district shall be responsible for ensuring that all eligible students are appropriately served. The district shall be responsible for procuring, and funding appropriate special education services, even though the student may live anywhere in the State of California. The district may contract for these services with public or private educational entities. When a student lives outside the boundaries of the chartering district, the district in which the child lives shall have no responsibility to provide services or pay excess costs.

The district and the charter school may enter into agreements whereby the charter school is billed for excess costs associated with providing special education services to identified students, including the administration of special education programs, and any other costs associated with educating charter school special education students. The charter school may also be held fiscally responsible for an equitable share of any encroachment on District general funds that is created by the provision of special education services throughout the district.

Charter School as a LEA within the SELPA

The South County SELPA Local Plan outlines procedures for changes in the governance structure of the SELPA. These procedures describe the requirements for participation in the plan. A charter school may apply to participate in the South County SELPA Local Plan as an LEA, in the same manner as any other LEA, in accordance with procedures outlined in the plan. (CCR 15420 (b)).

If approved as a member LEA within the local plan, the charter school shall:

- ◆ Participate in governance of the SELPA (see note below.)
- ◆ Participate in and receive regionalized services in the same manner as other districts within the SELPA.
- ◆ Receive state and federal funding for special education in accordance with the revised SELPA allocation plan.
- ◆ Be responsible for all costs incurred in the provision of special education services. These costs may include, but are not limited to, instruction, transportation, nonpublic school/agency placements, inter-intra SELPA placements, due process proceedings, complaints and attorney fees.
- ◆ Document that all State and Federal special education funds apportioned to the charter school are used for the sole purpose of providing special education instruction and/or services to identified students with disabilities. Such funds shall be used to supplement and not supplant other sources of federal, state and local funds apportioned to charter schools.

Participation in the SELPA governance structure by a LEA charter school

A LEA charter school may choose to participate directly on the Operations Committee and Superintendents' Council or designate a member district as its representative. If there is more than one charter school LEA located in the SELPA, and they have not designated a member district as their representative, the charter schools must elect one representative from their number to serve on the Operations Committee and Superintendents' Council.

SOUTH COUNTY SELPA POLICY: 2002-AP APPROVED: 5/14/2004 REVISION: 01/18/07	ALLOCATION PLAN
--	------------------------

The following plan is submitted in accordance with the provisions of CEC 56195.7(i). All Special Education funds will be sent from the state to the SELPA Administrative Unit (AU), the San Diego County Office of Education. These funds will be distributed to each member district of the SELPA and County Office of Education according to the following distribution plan:

1997-98 Revenues

For the 1998-99 school year a “hold-harmless” plan was developed to assure each district, and the County Office, will receive no less revenue than the 1997-98 school year. Each program operator’s base allocation was determined and an Average Daily Attendance (ADA) rate was established. The base allocation includes funds currently in the 1997-98 J50. These funds are:

- State and federal entitlement
- Reimbursement for non-LCI non-public school and agency costs
- Property tax
- State and federal preschool grants
- Equity money received in the 1997-98 school year
- Longer school year and school day funds for the County Office of Education

This calculation results in differing ADA rates for each district and the County Office. This calculation assumes that each district and the County Office will be responsible for their own NPS/A costs in 1998-99.

Inter-SELPA Transfer Fund

All revenue from the base year (1997-98) accrued to the SELPA from Inter-SELPA transfer of IPSU’s will be placed in a SELPA fund to pay for annual costs. Any carry over from this inter-SELPA transfer fund will be reviewed annually with consideration for creating a prudent reserve with the fund, anticipated costs for new program development and/or distribution of excess funds.

Cost of Living Adjustment

Cost of living adjustments (COLA) received from the state shall be distributed to each district and the County Office. The COLA shall be distributed as per ADA dollar amount. This amount is the result of multiplying the COLA per dollar amount times each district’s and County Office’s prior year ADA.

Phase II Equity

Based upon initial calculations, the SELPA is eligible to receive Phase II Equity dollars. For the 1998-99 school year all Phase II dollars received will be used to equalize ADA rates within the SELPA. The first priority will be given to the district with the lowest rate. Once this district's rate has been equalized to the next lowest district rate, those district(s) will have the next priority on equity funds. This process of bringing all districts to the same SELPA ADA rate will continue until all equity dollars have been exhausted. (See attached spreadsheet).

Growth

For the 1998-99 school year all district ADA growth will be funded at the ADA rate of the majority of the districts. The remaining growth dollars are used for equity adjustment.

Mandated Cost Ongoing Entitlement

In the 2001-02 school year SELPA entitlement from Mandated Cost Settlement shall be distributed based on ADA in the 2000-01 school year. These are ongoing dollars and shall be included in base entitlement for each district in subsequent years.

2001-02 Federal Flow Through Dollars

For the 2001-03 and 2002-03 school years any federal dollars not treated as a deduct t the state entitlement dollars shall be distributed in a manner similar to the state calculation. The state increase in federal dollars shall be treated as state aide for the purpose of the distribution plan.

Declining Enrollment

Beginning in the 2004-05 school year the previous practice of holding declining enrollment districts harmless shall be discontinued. At each principal apportionment each district's ADA will be calculated to determine growth or decline based on current ADA. Each district experiencing a decline in ADA will have their current growth entitlement adjusted by multiplying the state funded growth rate time the ADA loss. To assist each district in projecting potential revenue in the next school year, a revenue projection AB 602 spreadsheet shall be developed each February using district provided estimated ADA for the next school year and the Governor's proposed budget for COLA, growth and federal funds. This revenue projection spreadsheet will be shared at the same meeting where current year P-1 and Annual adjustments are reviewed.

It is the intent of the SELPA that all districts will be re-equalized to the relative ADA rates in 1998-99 not later than the Annual certification of 2006-07. To achieve this goal beginning with the 2004-05 fiscal year subsequent calculations at P1, P2 and Annual will be included in the AB 602 spreadsheet to re-equalize the districts. The re-equalized calculation will be based on concepts presented at the Chief Financial Officer meeting on April 26, 2004 (where all districts were represented except San Ysidro). The calculations will utilize the sample formula included in sample spreadsheets distributed at that time. For the 2004-05 school year redistribution of dollars displayed in the worksheet will not exceed the amounts listed. Redistribution amounts will be reviewed and adjusted as necessary in February and June of each year to achieve the

equalization goal. At any time the state distributes new dollars above growth and COLA, these funds will be used for future equalization beyond the redistribution described above.

Maintenance of Effort

Each LEA is individually responsible for meeting federal maintenance of effort requirements. On an annual basis, each LEA shall complete state required Maintenance of Effort Reports (SEMA and SEMB) and submit them to the Administrative Unit for review. The process for determining any required sanctions are as follows:

Under SEMB, each LEA shall compare the projected budget to unaudited actuals from the prior year. Each LEA shall be eligible to receive federal local assistance dollars for the current year once it has been determined that the SELPA is projected to spend at least the same or more in state and local funds than in the previous year. If the SELPA does not meet the budget to unaudited actual test (SEMB), then none of the LEAs shall receive federal funds.

Procedures for LEA sanctions when SELPA has met SEMA requirements.

Effective 2006-07, each LEA shall utilize the SACS Software (SEMAI) at the first and second interim reporting to compare actual budgeted expenditures from the previous year's actual expenditures to determine that no supplanting of state funds has occurred. If an individual LEA is unable to meet Maintenance of Effort the member LEAs of the South County SELPA shall explore adjusting the allocation of federal funds. However, no LEA shall be required to accept additional federal funds in any given year. If a shift in federal funds is not feasible, the LEA shall file an appeal to the Superintendents' Council prior to the recapture of funds. The Council shall review any pertinent information and determine what sanctions may be imposed and the redistribution of funds.

Procedures for LEA sanctions when the SELPA has not met SEMA requirements.

Effective 2006-07, each LEA shall utilize the SACS Software (SEMA) at the unaudited actual reporting cycle to compare prior year actual expenditures to second prior year actual expenditures to determine that no supplanting of state funds has occurred. If an LEA is unable to meet Maintenance of Effort, the member LEAs of the South County SELPA shall explore adjusting the allocation of federal funds. However, no LEA shall be required to accept additional federal funds in any given year. The LEA may file an appeal to the California State Department of Education in accordance with state directives. If the SELPA is billed by the state for the amount the SELPA failed to spend from state and local funds to maintain its level of effort, the funds shall be deducted from the LEA who was unable to meet Maintenance of Effort and the funds will be allocated to the other member LEAs on a dollar for dollar basis after agreement with the LEAs.

SOUTH COUNTY SELPA POLICY: SELPA MONITORING APPROVED: 5/14/03; 12/13/2017	SELPA MONITORING RESPONSIBILITIES
--	--

FEDERAL REQUIREMENTS:

STATE REQUIREMENTS:

EC 56195.7(c)(6)

EC 56195.7(j)(2-3)

In accordance with EC 56195.7, the South County SELPA develops written agreements to be entered into by all entities participating in the SELPA Local Plan. Those agreements include the SELPA's provision of regionalized services to local programs. Among the regionalized services is the ongoing review of programs conducted by the SELPA, including the procedures utilized in the reviews, and a mechanism for correcting any identified problems.

The SELPA Director and the Special Education Directors of each Local Education Agency (LEA) are responsible for the completion of all components in the program review. These component activities include but are not limited to the following:

- A review of LEA performance in the California Department of Education (CDE) Special Education Annual Report Measures, including the State Performance Plan (SPP) data and indicators and the Annual Performance Report (APR).
- A review of LEA California Special Education Management Information System (CASEMIS) data.
- A review and monitoring of any corrective actions related to LEA participation in CDE's Quality Assurance Process (QAP), including Performance Indicator Reviews, Comprehensive Reviews, Disproportionate Reviews, and Data Identified Non-Compliance Reviews.
- A review and monitoring of any corrective actions related to LEA participation in CDE Compliance Complaint investigations and Due Process Hearing findings.
- Monitoring IEP-related procedures, including but not limited to those of child find, referral, evaluation, identification, placement, program development, timelines, and IEP development.

- Monitoring of all SELPA regional instructional programs.

Identified problems will be corrected through these means:

- At regularly scheduled meetings, SELPA staff members and district administrators will address all identified problems.
- Additional strategies utilized for the correction of identified problems include collaboration, discussion, and/or the formulation of workgroups within the SELPA and LEA personnel, and the provision of consultation and technical assistance by the SELPA when needed.
- Ongoing training opportunities will be provided by the SELPA and LEAs for South County SELPA and LEA staff on relevant and timely topics.

In cases where the identified problem persists following implementation of such steps as outlined above, the LEA superintendent shall be notified regarding the issue.

SOUTH COUNTY SELPA POLICY: SL 2007 APPROVED: 5/1/2007 REVISED: 5/10/17	SPEECH AND LANGUAGE CASELOADS
---	--

CALIFORNIA REQUIREMENTS

EC § 56363.3 SELPA Average Speech and Language Case Load
EC § 56195.8(b)(7) SELPA Policies for Caseloads
5 CCR § 3051.1 LSH Services & SELPA/District Caseload

EC § 56441.7(a) Speech Caseload 3-5 Years
EC § 56441.11 Preschool Eligibility

Each South County Special Education Local Plan Area (SELPA) Local Education Agency is responsible for hiring Language, Speech and Hearing (LSH) Specialists to serve Part B students with Individualized Education Programs (IEPs) aged three through 21 years of age. Specialists may be assigned to serve preschool age students (3-5), school age students (5-22), or a blended caseload of preschool and school age students.

The maximum caseload for a LSH specialist providing services exclusively to preschool students shall not exceed a count of forty. Specialists who either exclusively serve school age students or have blended caseloads shall not have caseloads exceeding a District or SELPA wide average of 55 pupils. Each Local Education Agency is responsible for monitoring caseloads on an ongoing basis.

SOUTH COUNTY SELPA POLICY: PMM 2007 APPROVED: 3/21/2007 REVISED: 5/10/17	PROHIBITION ON MANDATORY MEDICINE
---	--

FEDERAL REQUIREMENTS

20 USC § 1412(a) (25)

34 CFR § 300.174

CALIFORNIA REQUIREMENTS

EC § 56205(a)(22)

EC § 56040.5

It shall be the policy of the South County Special Education Local Plan Area (SELPA) that school personnel are prohibited from requiring any student to obtain a prescription for a medication that is a substance covered by the Controlled Substances Act as a condition of attending school or receiving an evaluation and/or services under the Individuals with Exceptional Needs Act (IDEA).

Nonetheless, nothing in the first paragraph of this policy shall be construed to create a Federal or SELPA prohibition against teachers and other school personnel consulting or sharing classroom-based observations with parents or guardians regarding a student's academic and functional performance, his/her behavior in the class and/or school, or regarding the need for assessment for special education and related services, which may be part of Child Find activities under IDEA.

SOUTH COUNTY SELPA POLICY: 2007 OVR-DIS APPROVED: 3/21/2007 REVISED: 5/10/17	OVER IDENTIFICATION AND DISPROPORTIONALITY
---	---

FEDERAL REQUIREMENTS

20 USC § 1412(a) (24); 20 USC § 1418
34 CFR § 300.173

CALIFORNIA REQUIREMENTS

56205(a)(21)

The South County Special Education Local Plan Area (SELPA) will participate in all state and federal monitoring designed to prevent the inappropriate over identification and/or disproportionate representation by race and ethnicity of children with disabilities.

This monitoring will include the compilation of data regarding the identification of children as children with particular disabilities; the placement in particular educational settings; and the incidence, duration, and type of disciplinary actions, including suspension and expulsions.

Additionally, the South County SELPA member districts will consider all state and federal mandates related to over identification and disproportionality when designing and implementing district procedures including, but not limited to the areas of evaluation, eligibility, and monitoring.

SOUTH COUNTY SELPA POLICY: 2007-DATA APPROVED: 3/21/2007 REVISED: 5/10/17	DATA & INFORMATION ON PUPILS PROVIDED WITH SPECIAL EDUCATION AND RELATED SERVICES, AND PERFORMANCE GOALS AND INDICATORS
--	--

FEDERAL REQUIREMENTS

Data & Information on Pupils Provided with Special Education and Related Services:
20 USC § 1418 a-d

Performance Goals and Indicators
20 USC §1412(a)(15)

CALIFORNIA REQUIREMENTS

Data & Information on Pupils Provided with Special Education and Related Services:
EC § § 56195.7(c)(4); 56195.8

Performance Goals and Indicators:
EC §§ 56205(a)(14); 56195.8(b)(6)

Data & Information on Pupils Provided with Special Education and Related Services

The South County Special Education Local Plan Area (SELPA) will provide data collection through a Management Information System (MIS) for the use of the SELPA member districts. This system will be utilized to collect and monitor all required data regarding children with disabilities residing within the member districts. The information will be made available to the California Department of Education and other governmental agencies upon request.

Additionally, the SELPA and member districts ensure that all requirements will be completed regarding information on the number of individuals with exceptional needs who are being provided special education and related services.

Performance Goals and Indicators

The SELPA and member districts will support and implement all California state-adopted accountability systems of student performance, including those that incorporate the state goals, indicators and performance standards. This system will be implemented in all SELPA districts to include all students, including those with disabilities. Additionally, all students with disabilities

within the SELPA will be provided with the accommodations, guidelines and alternative assessments required by their respective Individualized Education Programs for any state and federally-required assessments. The South County SELPA and member districts ensure that all children with disabilities will have the opportunity to participate in the statewide accountability and assessment systems in order to ensure the effectiveness of the efforts to educate those children.