

# **III. GOVERNANCE**

**GOVERNANCE  
FEDERAL ASSURANCE POLICY**

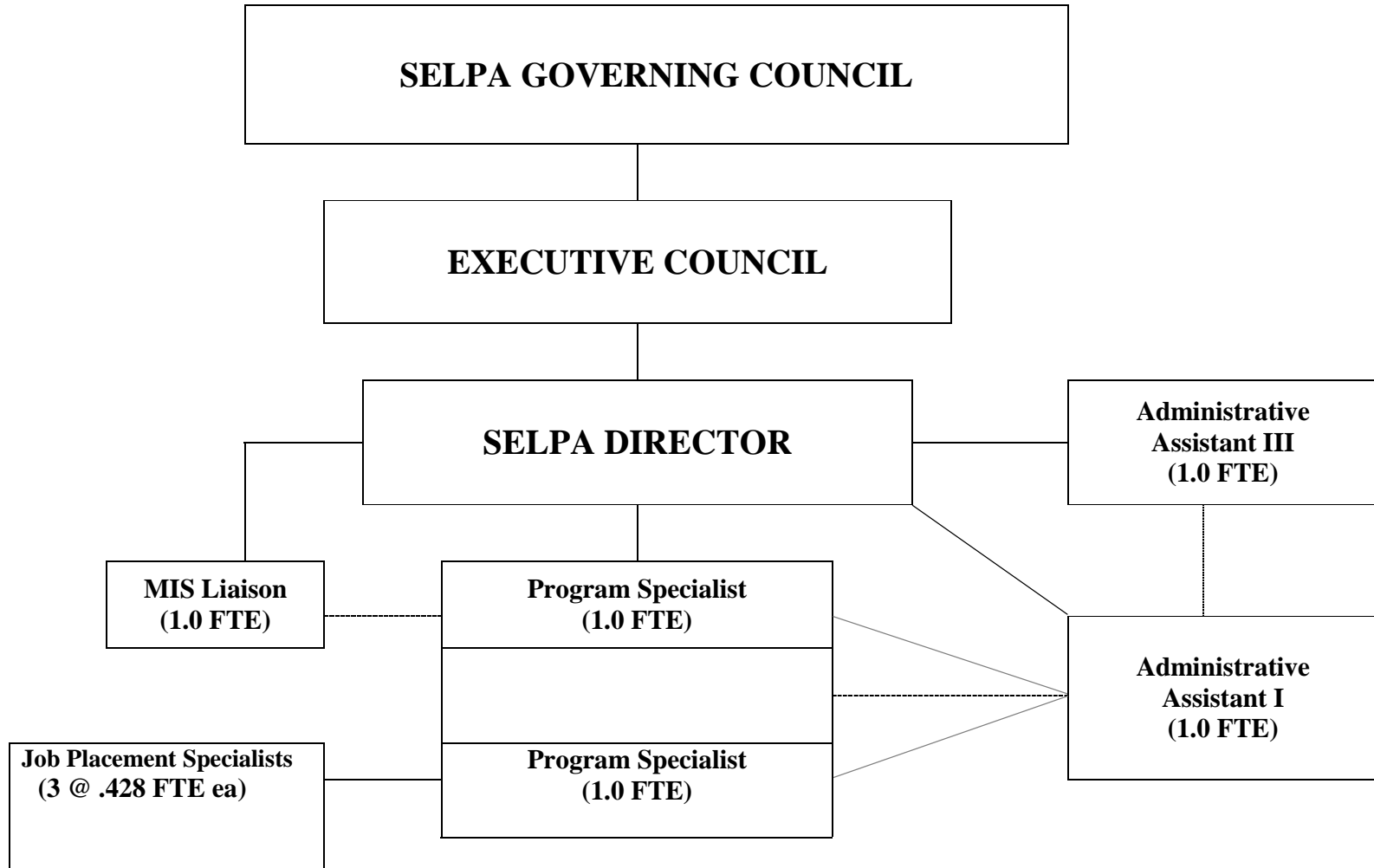
It shall be the policy of each LEA to support and comply with the provisions of the governance bodies and any necessary administrative support to implement the Local Plan. A final determination that a LEA is not eligible for assistance under this part will not be made without first affording that LEA with reasonable notice and an opportunity for a hearing through the State Educational Agency.

*Legal Reference:*

*20 USC 1412 (a)(13)*

Approved by Governing Council on January 9, 2009

**GOVERNANCE ORGANIZATION CHART**



**GOVERNANCE STRUCTURE  
STATE REQUIRED POLICY**

56205(a)(12)(A), 56205(a)(12)(D)(i-ii)

The San Luis Obispo County Special Education Local Plan Area (SELPA) is comprised of all school districts in the county and the San Luis Obispo County Office of Education (Local Education Agencies or LEAs) all of whom have joined in a cooperative effort to provide for the coordinated delivery of programs and services and assurance of equal access to such programs and services to eligible persons with disabilities requiring special education in the service region. Each LEA shall be responsible for adoption and implementation of the Local Plan as outlined. The governing body of the SELPA is the SELPA Governing Council that is composed of the superintendents as the designated representatives of the LEAs comprising the SELPA. Policies and procedures adopted by the Governing Council provide direction for all aspects of the SELPA, including uniform practices to be used by all LEAs in the provision of special education programs and services as outlined in the Local Plan.

The San Luis Obispo County Office of Education, herein referred to as SLOCOE, shall serve as the Responsible Local Agency (RLA) for the SELPA, and the county superintendent of schools is the superintendent of the RLA. The county superintendent is designated as the employer of the staff for the SELPA. The SELPA staff implements the policies and decisions that are enacted by the Governing Council. The SELPA's legal status is that of an unincorporated association.

Approved by Governing Council on January 9, 2009

**CHANGES IN THE GOVERNANCE STRUCTURE  
STATE REQUIRED POLICY**

Changes or amendments to the permanent portion of the San Luis Obispo County Special Education Local Plan Area (SELPA) Local Plan may be considered during the annual service and budget plan process. The Governing Council can adopt amendments to the permanent portion of the Local Plan on an interim basis, not to exceed one year. Amendments approved in this manner would become permanent upon subsequent approval by all Local Education Agency (LEA) governing boards and the California State Board of Education. The Governing Council will approve individual policy changes.

Approved by Governing Council on January 9, 2009

**RESPONSIBLE LOCAL AGENCY (RLA)  
STATE REQUIRED POLICY**

56205(a)(12)(D)(i-ii)

The San Luis Obispo County Office of Education shall serve as the Responsible Local Agency (RLA). The RLA will perform functions for the Special Education Local Plan Area (SELPA) such as receipt and distribution of funds, employment of staff to support SELPA functions, provision of administrative support, and coordination of the implementation of the plan. The Business Services Division of the RLA will provide advice to the Special Education Operations Committee (SEOC) regarding fiscal and budget-monitoring issues related to SELPA and special education programs.

Approved by Governing Council on January 9, 2009

**RESPONSIBILITY OF THE SUPERINTENDENT OF THE  
RESPONSIBLE LOCAL AGENCY (RLA)  
LOCAL POLICY  
56205(a)(12)(D)(i-ii)**

Responsibilities of the RLA superintendent shall include, but not be limited to:

- Serve as chairperson of the Governing Council and arrange the schedule, time, and place for meetings of the Governing Council
- Serve as the employer for personnel who have responsibilities throughout the Local Plan area. Such personnel will include, but not be limited to, the SELPA director, and program specialists. Employment of such personnel will be in accordance with personnel policies and practices of the SLOCOE.
- Employ appropriate classified personnel in support of the Local Plan area certificated staff
- Provide suitable office space for both certificated and classified employees of the SELPA

Approved by Governing Council on January 9, 2009

**RESPONSIBILITY OF PARTICIPATING LOCAL  
EDUCATION AGENCIES (LEAs)  
LOCAL POLICY  
56205(a)(12)(D)(i-ii)**

Adoption of the Local Plan requires consent of the governing board of each participating LEA. In adopting the Local Plan, each participating LEA agrees to carry out the duties and responsibilities assigned to it within the plan. Each LEA shall provide special education and related services to all eligible students within its boundaries, including students attending charter schools where a LEA of the Special Education Local Plan Area (SELPA) has granted that charter. Each LEA shall cooperate to the maximum extent possible with other agencies to serve individuals with disabilities who cannot be served in the LEA of residence programs. Such cooperation ensures that a range of program options is available throughout the San Luis Obispo County SELPA. LEAs may enter into additional contractual arrangements to meet the requirements of applicable federal and state law.

Responsibilities of the governing board of each LEA shall include, but not be limited to:

- Exercise authority over, assume responsibility for, and be fiscally accountable for special education programs operated by the agency
- By approving the Local Plan, enter into an agreement with other local education agencies participating in the plan, for purpose of delivery of services and programs
- Review and approve revisions of the San Luis Obispo County SELPA Local Plan for special education
- Participate in the governance of the San Luis Obispo County SELPA through their designated representative to the Governing Council. The governing boards provide the Governing Council with the authority to act as the board designee to approve and amend policies as necessary.
- Appoint members to the Community Advisory Committee (CAC)

Responsibilities of LEAs shall include, but not be limited to:

- Implementing child find activities
- Deciding to operate, or not to operate, the special education programs and services as specified in the San Luis Obispo County SELPA Local Plan
- Cooperating with the SELPA in the provisions of staff development activities as specified in applicable sections of the education code
- Providing program, employee, student, and fiscal information as needed to the SELPA to facilitate program coordination, fiscal accountability, budget preparation, staff acquisition, training and state, federal, and local reporting.

***RESPONSIBILITY OF PARTICIPATING LOCAL  
EDUCATION AGENCIES (LEAs) (cont.)***

***LP***

- Assisting the SELPA in regional planning and preparation of the San Luis Obispo County Local Plan, annual programmatic, student and program evaluation, and fiscal reports as required by state and federal laws and regulations. This assistance includes participation in the Governing Council, the Executive Committee, the SEOC, and the Budget Committee.
- Providing facilities for special education students.
- Utilizing the adopted SELPA forms, procedures and guidelines
- Placing a student in a comparable special education program, following SELPA procedures, when an identified special education student moves into the San Luis Obispo County SELPA. An IEP review will be held within 30 days of an interim placement.
- Paying any attorney(s) fees required as a result of mediation or an administrative or court procedure.
- Implementing any decisions or judgments, which is the result of a due process or complaint proceeding.
- Providing and coordinating transportation for special education students residing in the district as required in the IEP.
- Implementing discipline policies for all students, including students eligible for special education, except as modified by IEP team decisions and incorporated into the child's IEP, following state and federal requirements.

Approved by Governing Council on January 9, 2009

**RESPONSIBILITIES OF LOCAL EDUCATION AGENCY (LEA)  
SUPERINTENDENTS  
LOCAL POLICY  
56205(a)(12)(D)(i-ii)**

Responsibilities of the superintendents of each participating Local Education Agency (LEA) shall include, but not be limited to:

- Being responsible for special education programs operated by the LEA and for implementing all requirements of the Local Plan
- Participating in the Governing Council
- Participating, or have a designee participate, on the Special Education Operations Committee (SEOC)

Approved by Governing Council on January 9, 2009

**RESPONSIBILITY OF LOCAL EDUCATION ADMINISTRATORS –  
SPECIAL EDUCATION OPERATIONS COMMITTEE (SEOC)  
LOCAL POLICY  
56205(a)(12)(D)(i-ii)**

Local Education Agency (LEA) administrators participate on the SEOC and are responsible for the coordination of special education services and programs within their agencies and for the implementation of the Local Plan. SEOC will serve as the advisory committee to the Governing Council and will carry out those functions specified in state law and the Local Plan. SEOC administrators are given authority by the Governing Council to implement policies and procedures in accordance with the Local Plan.

The SEOC administrators will use a majority vote to reach decisions. The SELPA Director will present the minority and majority viewpoint to the Executive Committee. The SEOC administrators will meet at least ten times annually. The SELPA director shall act as the chairperson.

Responsibilities of SEOC shall include, but not be limited to:

- Provide information and recommendations for the development, modification and implementation of the Local Plan to the Governing Council
- Develop and implement procedures for identification, referral, assessment, IEP development, placement and services of individuals with disabilities as established by the Local Plan
- Determine the need and recommend the establishment of new regional programs and/or closure of regional programs
- Adopt forms, procedures and recommendations for programs and services
- Develop an annual budget for SELPA operations, including regionalized services and program specialist allocations for review, modification, and approval by the Governing Council
- Develop, participate and support SELPA wide in-service/staff development activities, including parent education activities
- Provide recommendations for the membership for the Community Advisory Committee (CAC)
- Develop the Annual Services Plan for approval by the Governing Council
- Consider and seek solutions to problems encountered in meeting federal and state laws and regulations or SELPA policy
- Utilize Alternative Dispute Resolution (ADR) strategies and implement the SELPA ADR process as an alternative to complaint procedures and due process

***RESPONSIBILITY OF LOCAL EDUCATION ADMINISTRATORS –  
SPECIAL EDUCATION OPERATIONS COMMITTEE (SEOC) (cont.)***

***LP***

- Appoint a representative to attend Budget Committee
- Participate in SELPA subcommittees

Approved by Governing Council on January 9, 2009

**RESPONSIBILITIES OF THE SELPA DIRECTOR  
LOCAL POLICY  
56205(a)(12)(D)(i-ii)**

The San Luis Obispo County Special Education Local Plan Area (SELPA) director shall serve as the chief administrator of the SELPA on behalf of the member Local Education Agencies (LEAs) and implement the Local Plan for special education including, but not limited to the following:

- Ensure provision of special education program and services for all eligible individuals in San Luis Obispo County SELPA
- Coordinate and implement the Local Plan
- Ensure provision of public awareness and child-find activities
- Coordinate information regarding community resources
- Serve as the secretary to the Executive Committee
- Arrange for meetings, establish agendas, and record minutes as appropriate for the Executive Committee and Special Education Operations Committee (SEOC)
- Provide SELPA agenda items for Governing Council and Budget Committee
- Coordinate and facilitate the establishment of San Luis Obispo County SELPA standards, procedures, processes, and regulations for the implementation of the Local Plan
- Participate or designate appropriate personnel to participate in Individualized Education Program (IEP) team meetings for students considered for placement in other LEAs, other SELPAs, and/or nonpublic school placements
- Provide technical assistance to LEA administrators.
- Provide technical assistance to LEAs in due process and complaint procedures and represent or designate appropriate personnel to represent the SELPA in due process and complaint procedures
- Ensure implementation of the San Luis Obispo alternate dispute process
- Act as a liaison between and among the San Luis Obispo County SELPA, the State Department of Education, the Governing Council, the SEOC, the Budget Committee, the Community Advisory Committee (CAC), federal departments and elected government officials
- Update Governing Council, SEOC, Budget Committee, CAC, and the Executive Committee on legislative changes, proposals, trends, and related concerns
- Represent San Luis Obispo County SELPA at statewide meetings
- Provide leadership for special education with the San Luis Obispo County SELPA
- Serve as chairperson of the SEOC

Approved by Governing Council on January 9, 2009

**EVALUATION OF THE SELPA DIRECTOR  
LOCAL POLICY  
56205(a)(12)(D)(i-ii)**

The Executive Committee will conduct the evaluation of the SELPA director on behalf of the Governing Council and seek input from the Governing Council. In the event of a significant disagreement within the Executive Committee, the Governing Council will review the evaluation and make the final decision in accordance with the established decision making procedures.

Approved by Governing Council on January 9, 2009

**REGIONALIZED SERVICES  
STATE REQUIRED POLICY  
56205(a)(12)(B)**

Regionalized Services shall include, but not be limited to:

- Interagency coordination and development of agreements
- Nonpublic school/agency coordination and development of master contracts on behalf of member Local Education Agencies (LEAs) and uniform procedures for individual service agreements
- Provision of program specialist services
- Evaluation, program review, and data collection as required
- Implement the regionalized services of the Special Education Local Plan Area (SELPA):
  - a. Administer staff development programs
  - b. Coordinate program review
  - c. Supervise data collection, information management and reporting.
  - d. Coordinate curriculum and program development
  - e. Coordinate ongoing monitoring of Local Plan implementation through program review
  - f. Assign, supervise and evaluate Program Specialists and other SELPA staff
  - g. Other matters related to the representation and operation of the SELPA
- Conduct the business operations for the San Luis Obispo County SELPA
- Hire, supervise, evaluate, and discipline staff employed by the SELPA in support of the Local Plan
- Assist in the development of the annual budget plan and annual SELPA operations budget
- Allocate and distribute funds to LEAs for the operation of special education programs and services in accordance with policy
- Coordinate the funds for low incidence services, equipment, and materials in accordance with established procedures
- Complete reports for the San Luis Obispo County SELPA and individual districts in accordance with state priorities criteria, and Education Code Sections 56220(c)(1), 56368, 56780
- Apply for discretionary funds and other grants that become available to the San Luis Obispo County SELPA
- Monitor the appropriate use of federal, state, and local funds allocated for special education programs

***REGIONALIZED SERVICES (cont.)***

***SRP***

- Prepare and submit to the State Department of Education all reports required for the San Luis Obispo County SELPA
- Assist in the development and coordination of the implementation of agreements and contracts with nonpublic school/agencies providing services to students with disabilities.
- Assist in the development and coordination of the implementation of agreements with other SELPAs and agencies
- Assist in the identification of special education program and service needs for the San Luis Obispo County SELPA
- Provision of regionalized staff development
- Resource allocation and distribution according to policy
- Dispute resolution to support parents and LEAs in solving conflict
- Coordination of necessary services
- Other responsibilities as assigned by Governing Council
- Data collection and development of the management information system

Approved by Governing Council on January 9, 2009

**REGIONAL PROGRAMS & SERVICES FUNDED  
BY THE SAN LUIS OBISPO COUNTY SELPA  
LOCAL ADMINISTRATIVE REGULATION**

**ADAPTED PHYSICAL EDUCATION**

***Description:***

The Adapted Physical Education related service includes assessment, instruction, consultation and intervention for eligible students from age 3 through age 21 in gross motor, perceptual motor performance, and/or physical fitness. Services are provided to students with an existing IEP using an inclusion model in the most appropriate and least restrictive setting: i.e., infants and toddlers in the natural environment and for school-aged students assigned to a special education program. The IEP team may determine that a student requires Adaptive Physical Education if the student exhibits impairments in gross motor skills, perceptual motor performance, and/or physical fitness.

Generally, students who receive Adaptive Physical Education services require support to participate in general or modified physical education classes. Students receive specially designed motor activities and more intensive instruction as indicated on the student's IEP.

**AUTISM SPECTRUM DISORDER**

***Description:***

Each LEA and the County Office of Education provide specially designed services for students with Autism Spectrum Disorder. These services may include assessment, instruction and consultation.

Individual programming is determined by the IEP team. Staff training may be provided by the SELPA, LEA, COE, NPA consultants, and Educational Specialists. Service providers are trained in various methodologies and interventions which may include but are not limited to Applied Behavior Analysis (ABA), Discrete Trial Training (DTT), social groups, Picture Exchange Communication (PECS), Treatment and Education of Autistic and Related Communication Handicapped children (TEACCH), behavior management techniques, social-thinking skills and sensory intervention. Staff trained in Autism Spectrum Disorder may provide consultation and/or support to classroom teachers in the placement determined by the IEP team.

Students are assessed by an educational team who has training, experience and knowledge of Autism Spectrum Disorders. The purpose of the assessment is to determine the functioning level of the child in the major areas of development such as cognitive ability, communicative ability, adaptive behavior and social skills. Consideration for placement and services for

**REGIONAL PROGRAM & SERVICES (cont.)**

**LAR**

students with autistic-like behaviors as outlined by Education Code Article 3.1.1 3030 (g) include:

- An inability to use oral language for appropriate communication.
- A history of extreme withdrawal or relating to people inappropriately and continued impairment in social interaction from infancy through early childhood.
- An obsession to maintain sameness.
- Extreme preoccupation with objects or inappropriate use of objects or both.
- Extreme resistance to controls.
- Peculiar motoric mannerisms and motility patterns.
- Self-stimulative, ritualistic behavior.

**BEHAVIOR MANAGEMENT**

***Description:***

Behavior Management Services may be provided to a special education student when behavioral/social goals cannot be met without additional interventions beyond those recommended by the IEP team. Behavior Management Specialist services may include:

- Classroom observation
- Direct service to a student who requires additional supervision or specific skill training unique to the child's needs
- Assistance to the IEP team in developing a Behavior Support Plan
- Consultation with the classroom teacher and other service providers
- Training and support of classroom para-educators
- Recommendations for curricular and environmental modifications
- Oversight on the implementation of behavior management techniques
- Parent consultation

**DEAF/HARD OF HEARING**

***Description:***

Related services for students who are deaf or hard of hearing include assessments, instruction, consultation, and support services for all children from birth through age 21. The following services may be provided:

- Consultation with parents, classroom teacher, speech therapists, audiologists, other professionals and agencies.
- Direct academic instruction.
- Intervention for language impairment.
- Maintenance of specialized amplification equipment.
- Monitoring of hearing aide functioning.
- Teach skills in auditory training, speech reading, etc.

**REGIONAL PROGRAM & SERVICES (cont.)**

**LAR**

- Provide recommendations for implementing classroom modifications or accommodations.
- Provide educational support to students with cochlear implants.
- Auditory training specific to hearing impairment.

Services are provided to eligible students using an inclusion model in the most appropriate and least restrictive setting: i.e., infants and toddlers in the natural environment, for school-aged students assigned to a special education program.

Students who receive deaf/hard of hearing services have a documented hearing loss which adversely affects their receptive and/or expressive communication or educational performance.

**DEAF/HARD OF HEARING PRESCHOOL**

***Description:***

This program is designed for preschool students 3 and 4 years of age who are deaf or hard of hearing, and require daily access to specialized staff and curriculum. All students have a mild to profound, bilateral or unilateral, permanent or fluctuating hearing loss. Instruction is provided in an environment offering age-appropriate, language mode peers, as well as non-disabled children. The program is supported by a credentialed teacher of the deaf and hard-of-hearing, a sign language interpreter, an instructional assistant with signing skills and a speech/language pathologist. Other services may include:

- Consultation with speech/language pathologists, audiologists and other professionals and agencies
- Maintenance of specialized amplification equipment
- Monitoring of hearing aide functioning
- Provide educational support to students with cochlear implants
- Regular home visits
- Parent education
- Coordination of services for mainstreaming with typically developing students
- Transition planning for enrolling in school programs at age five.

**EMOTIONALLY DISTURBED**

***Description:***

These programs are designed for K-12 students who have an emotional disturbance condition with a direct, observable connection between the emotional disturbance and poor educational performance. The curriculum in these programs has an academic focus with intensive instruction on development of behavior management and appropriate interpersonal skills. The programs may be augmented by services from school counselors, psychologists, mental

**REGIONAL PROGRAM & SERVICES (cont.)**

**LAR**

health and other social services staff as appropriate. Referrals for placement into an ED program shall be brought to the receiving LEA for review. The receiving LEA shall participate in the IEP team decision-making process. Students enrolled in ED programs may be referred to the Vicente Intensive School Linked Mental Health Services Program jointly operated by the SLOCOE and Mental Health, when the IEP team-determines it to be the most appropriate placement for a student with emotional disturbance who meets both educational and mental health eligibility criteria. Students with emotional disturbances are defined by Education Code Article 3.1.1 3030 (i) as follows:

- An inability to learn which cannot be explained by intellectual, sensory, or health factors.
- An inability to build or maintain satisfactory interpersonal relationships with peers and teachers.
- Inappropriate types of behavior or feelings under normal circumstances.
- A general pervasive mood of unhappiness or depression.
- A tendency to develop physical symptoms or fears associated with personal or school problems.

One or more of the characteristics listed above:

- over a long period of time,
- to a marked degree, and
- adversely affects educational performance.

**INFANT DEVELOPMENT PROGRAM: PART C**

***Description:***

This program is for infants and toddlers, from birth to 3 years of age who have medical or developmental concerns, including solely low incidence disabilities. The State Regional Center acts as the single point of entry for infants. The Infant Development Program provides a variety of services including group activities and continuous parent training, home based services for infants' parent support and discussion groups.

Infants and toddlers who attend these programs have an established condition of known etiology which has a high probability of resulting in a developmental delay. Other infants and toddlers have an established low incidence disability. Often, a multidisciplinary team assessment has determined that an infant or toddler has a combination of two or more factors resulting in high risk for developmental disabilities which requires early intervention services.

SLOCOE provides a vendored program with Tri-Counties Regional Center. This program serves the birth to 3 year old population of students with Autism. This program provides in-home or centered-based, intensive intervention, which may include speech and language therapy, parent education, occupational therapy services and behavior management services.

**REGIONAL PROGRAM & SERVICES (cont.)**

**LAR**

**JUVENILE SERVICES CENTER/COMMUNITY SCHOOLS**

***Description:***

The Juvenile Services Center and Community Schools provide special education services to eligible students using an inclusion model in the classroom setting as well as small group instruction and consultation with the classroom teacher and other professionals and agencies as appropriate to the student's IEP.

Students at Juvenile Services Center have been placed there by the Juvenile Court. Students in Community Schools have been referred to the Community School by their local school district or have been placed by the Juvenile Court.

**MEDICALLY FRAGILE OR PROFOUND**

***Description:***

These programs include an intensive program for students from birth through age 21 who are medically fragile or have profound developmental delay. Key program components include health services, mobility enhancement, and a functional life skills curriculum. The primary focus is to develop an individualized education program that fosters each student's abilities and level of independence. As appropriate to the student's needs, the program works to facilitate mobility through a specialized curriculum.

Students who attend this program require a specialized curriculum which may emphasize assisted care, personal and medical care, mobility enhancement, and a functional life skills curriculum.

**MODERATE/SEVERE**

***Description:***

These programs are designed to include intensive functional instruction for students with moderate to severe disabilities. An overall focus of the program centers on striving to improve functional life skills and foster independence. The programs have both child and adult components. Students with severe disabilities from age 3 through 21, attend classes on integrated school sites throughout San Luis Obispo County. For students from age 18 through age 21 years, the Adult Transition Program offers instruction in independent, vocational and life skills development.

Students who attend these programs generally require a high level of supervision for safety and to access instructional opportunities. The programs are designed around adaptive and vocational skill development, and a functional life-skills curriculum, which is significantly modified from regular education state standards and assessment.

**REGIONAL PROGRAM & SERVICES (cont.)**

**LAR**

**OCCUPATIONAL THERAPY**

***Description:***

Occupational Therapy related services include assessment, instruction, consultation and support for students from birth through age 21 in the areas of fine and gross motor skills, postural stability, sensorimotor processing, coordination, organizing and using materials appropriately, and/or self-care skill development appropriate to the educational environment. Services may be provided to students with a current IEP using an inclusion model in the most appropriate and least restrictive setting. Students require more intensive services despite previous documented adaptations and modifications within the existing educational program.

Eligibility is based on therapist's diagnostic reasoning, standardized testing (if appropriate), and functional performance within the educational environment. Students who have severe developmental delays may have their performance compared to their assessed developmental/mental age rather than their chronological age when determining eligibility.

**ORIENTATION AND MOBILITY**

***Description:***

Services for students from birth through age 21 with visual impairment may include orientation and mobility. Orientation and Mobility services may include:

- Direct instruction enabling independent travel that includes: concept development, body imagery, laterality, directionality, environmental concepts, fine and gross motor skills, sensory awareness, sighted guide and protective techniques, use of residual vision, cane travel, methods of traveling a route, mapping skills, use of public transportation, emergency procedures, self-help skills, and appropriate behavior.
- Instruction and incorporation of terminology for Orientation and Mobility.
- Environmental modifications and adaptations in a variety of settings, including the home and school.
- Consultation with teachers of the visually impaired, parents, classroom teachers, and other professionals and agencies.
- Typically, a student is eligible for Orientation and Mobility services by having been identified as legally blind (visual acuity of 20/200 or worse) although certain students with restricted visual fields or difficulties with depth perception may also be eligible.

In some circumstances, students who experience difficulty detecting and avoiding obstacles, drop-offs, making street crossings, and using public transportation may be determined eligible.

**REGIONAL PROGRAM & SERVICES (cont.)**

**LAR**

**ORTHOPEDICALLY IMPAIRED**

***Description:***

Orthopedic services may include assessment, instruction, intervention, consultation, modification, and adaptations to eligible students from birth through age 21. Students who receive services have a severe and persistent orthopedic impairment that impacts their ability to access their curriculum and significantly restricts normal physical development, movement, and activities of daily living.

Authentic assessments are used which may include, but are not limited to observation, checklists, portfolio assessment, interviews with the student and staff and developmental standards. The orthopedic services provide consultation with parents, teachers, and other professional staff and agencies. A teacher of the Orthopedically Impaired may also provide adapted work materials and/or direct academic instruction using standard approaches and/or adaptive technology.

**SPEECH AND LANGUAGE**

***Description:***

Speech and language pathologists provide evaluation, collaboration, consultation, and direct services to students from birth through age 21 who are eligible under Speech Language Impairment as a primary or secondary disability or as determined by the IEP team. Students served under the category of Speech Language Impairment meet the criteria in one or more of the areas listed below and the impairment adversely affects educational performance. In order to be eligible for special education and related services, communication is assessed by a language, speech and hearing specialist, who determines that difficulty results from any of the following disorders:

- Articulation disorders such that the pupil's production of speech significantly interferes with communication and attracts adverse attention.
- Abnormal voice, characterized by persistent, defective voice quality, pitch, or loudness.
- Fluency difficulties which result in an abnormal flow of verbal expression to such a degree that these difficulties adversely affect communication between the student and listener.
- Inappropriate or inadequate acquisition, comprehension, or expression of spoken language including pragmatics skills such that the student's language performance level is significantly below the language performance level of his or her peers.
- Hearing loss which results in a language or speech disorder and significantly affects education performance.

## **VISUAL IMPAIRMENT**

### ***Description:***

Services for the visually impaired include assessment, instruction, consultation, and support services for all children from birth through age 21 who have a visual impairment. Services may also include:

- Consultation with parents, classroom teachers, other professionals and agencies.
- Specialized materials and strategies for direct academic instruction.
- Keyboarding and Braille instruction.
- Improvement of skills in daily living and other areas of development as they relate to academics.
- Operation of specialized equipment such as Braillewriters, magnifiers, monoculars, adaptive computer software, and audiotapes.

Services are provided to eligible students using an inclusion model in the most appropriate and least restrictive setting; i.e., infants and toddlers in the natural environment, for school-aged students at their local school site, and adults in their work setting. Students who qualify for the program are considered blind or have low vision as determined by an ophthalmologist.

Visual Impairment is defined as follows:

- Legally blind with a visual acuity of 20/200 or less in the better eye corrected or a visual field of no greater than 20 degrees or
- Low vision with a visual acuity of 20/70 or less in the better eye corrected.

Approved by Governing Council on January 9, 2009

**REGIONAL PROGRAM CLASS SIZE AND CASELOAD GUIDELINES  
LOCAL ADMINISTRATIVE REGULATION**

***PRESCHOOL SDC***

# STUDENTS	3↓	3-5	6-12	10-12	13+
	Close Class Per SELPA Local Plan	1 Teacher (1) 3.5 hr. Aide  1 Session	1 Teacher (2) 3.5 hr. Aides 1 Session  <i>8-12 Students 2 Sessions (2) 5.5 hr. Aides</i>	Start Discussion of Need for New Class	<ul style="list-style-type: none"> <li>• Priority list with district program/services offered</li> <li>• Assess ability for students to transition to district program</li> <li>• Relocate Students</li> <li>• Propose New Class to SEOC</li> </ul>

***ELEMENTARY SDC***

- Grade K; 200 Instructional Minutes Minimum; District Determines
- Grades 1-3; 280 Instructional Minutes Minimum; District Determines
- Grades 4-6; 300 Instructional Minutes Minimum; District Determines

# STUDENTS	3↓	3-6	7-12	10-12	13+
	Close Class Per SELPA Local Plan	1 Teacher (1) 6 hr. Aide	1 Teacher (2) 6 hr. Aides	Start Discussion of Need for New Class	<ul style="list-style-type: none"> <li>• Priority list with district program/services offered</li> <li>• Assess ability for students to transition to district program</li> <li>• Relocate Students</li> <li>• Propose New Class to SEOC</li> </ul>

**REGIONAL PROGRAM CLASS SIZE AND CASELOAD GUIDELINES (Cont.) LAR**

**MIDDLE SDC**

- Grades 7-8; 300 Instructional Minutes Minimum; District Determines

# STUDENTS	3↓	3-6	7-13	11-13	14+
	Close Class Per SELPA Local Plan	1 Teacher (1) 6 hr. Aide	1 Teacher (2) 6 hr. Aides	Start Discussion of Need for New Class	<ul style="list-style-type: none"> <li>• Priority list with district program/services offered</li> <li>• Assess ability for students to transition to district program</li> <li>• Relocate Students</li> <li>• Propose New Class to SEOC</li> </ul>

**HIGH SDC**

- Grades 9-12; 360 Instructional Minutes Minimum; District Determines

# STUDENTS	3↓	3-6	7-15	13-15	16+
	Close Class Per SELPA Local Plan	1 Teacher (1) 6 hr. Aide	1 Teacher (2) 6 hr. Aides	Start Discussion of Need for New Class	<ul style="list-style-type: none"> <li>• Priority list with district program/services offered</li> <li>• Assess ability for students to transition to district program</li> <li>• Relocate Students</li> <li>• Propose New Class to SEOC</li> </ul>

**REGIONAL PROGRAM CLASS SIZE AND CASELOAD GUIDELINES (Cont.) LAR**

**ADULT SDC**

# STUDENTS	3↓	3-6	7-12	13-19	17-19	20+
	Close Class Per SELPA Local Plan	1 Teacher  (1) 6 hr. Job Coach	1 Teacher  (1) 6 hr. Job Coach  (1) 6 hr. Aide	1 Teacher  (1) 6 hr. Job Coach  (2) 6 hr. Aides	Start Discussion of Need for New Class	<ul style="list-style-type: none"> <li>• Priority list with district program/services offered</li> <li>• Assess ability for students to transition to district program</li> <li>• Relocate Students</li> <li>• Propose New Class to SEOC</li> </ul>

**EMOTIONALLY DISTURBED SDC**

# STUDENTS	4-5	6-10	11+
	1 Teacher  (1) 6 hr. Aide	1 Teacher  (2) 6 hr. Aides	<ul style="list-style-type: none"> <li>• Priority list with district program/services offered</li> <li>• Assess ability for students to transition to district program</li> <li>• Propose New Class to SEOC</li> </ul>

**HOME HOSPITAL**

# STUDENTS	1-4	5-10	11+
	1 Teacher	1 Teacher  (1) 6 hr. Aide	<ul style="list-style-type: none"> <li>• Priority list with district program/services offered</li> <li>• Assess ability for students to transition to district program</li> <li>• Propose New Class to SEOC</li> </ul>

**REGIONAL PROGRAM CLASS SIZE AND CASELOAD GUIDELINES (Cont.) LAR**

***MEDICALLY FRAGILE SDC***

# STUDENTS	1-4	5-9	10-12	13+
	1 Teacher	1 Teacher	1 Teacher	<ul style="list-style-type: none"> <li>• Priority list with district program/services offered</li> <li>• Assess ability for students to transition to district program</li> <li>• Propose New Class to SEOC</li> </ul>
	2-4 Students Add (1) 6 hr. Health Assistant	(1) 6 hr. Health Assistant (1) 6 hr. Aide	(2) 6 hr. Health Assistants (1) 6 hr. Aide  Start Discussion of Need for New Class	

***RELATED SERVICES CASELOAD GUIDELINES FOR DIRECT SERVICE***

Teacher of the Visual Impaired	Teacher for Orientation and Mobility	Adaptive Physical Education Teacher	Teacher of the Deaf/Hard of Hearing
9-13 students	9-13 students	45-50 students	20-24 students
Teacher for Orthopedic Impairment	Occupational Therapist	Speech and Language Pathologist	Behavior Management Specialist
20-24 students	20-24 students	50-55 students	12-15 students

**REGIONAL PROGRAM CLASS SIZE AND CASELOAD GUIDELINES (Cont.) LAR**

*Considerations*

It is agreed upon that the figures and actions outlined above are provided as guidelines. For individual placements into classes the issues listed below are factored into the discussion process:

- Capacity and design of the facility
- Individual/severe needs of the student being placed
- Number of high need students enrolled in the class
- Enrolled students who require additional staff support
- Transportation cost involved in placement/reassignment of students
- Teacher/aides travel time (if dually assigned)

In all issues concerning qualified students, Regional Program Providers will work cooperatively to provide a free appropriate public education (FAPE) to all students to achieve placement that is appropriate for the student(s) involved and that maintains an appropriate and a safe educational environment for all students involved.

Approved by Governing Council January 9, 2009

**PROGRAM SPECIALIST SERVICES  
STATE REQUIRED POLICY  
56205(a)(12)(B)**

In the San Luis Obispo County Special Education Local Plan Area (SELPA), program specialist services are provided as part of the regionalized services. The program specialists are employed by the Responsible Local Agency (RLA) for employment purposes, and provide unique and necessary services to the SELPA and its collaborating agencies under the direction of the SELPA director.

Program specialists' assignments will be made by the San Luis Obispo County SELPA director in consultation with the Special Education Operations Committee (SEOC) who will consider the following:

- Program needs
- Over-all needs of the San Luis Obispo County SELPA
- Equitable distribution of service

Responsibilities of program specialists provide a range of services to include, but not be limited to:

- Observe, consult with, and assist regular and special education staff
- Plan programs, coordinate curricular resources, and share in the evaluation of the effectiveness of programs for children with disabilities
- Assist with program development and innovation of special methods and approaches
- Provide coordination, consultation and program development in one or more specialized areas of expertise
- Support the assurance that pupils have full educational opportunity regardless of the district of residence
- Participate in and/or facilitate Individualized Education Program (IEP) team meetings when technical assistance is requested
- Consult with principals and administrators who operate special education programs
- Coordinate placement of students outside their district of residence
- Assist with dispute resolution and legal compliance
- Serve as liaison and consultant to other professionals, collaborating agencies and the community
- Provide and/or assist with staff development, in-service training and technical assistance for regular and special educators, administrators, support staff, community partners and parents

Approved by Governing Council on January 9, 2009

**COMPOSITION AND ORGANIZATION OF THE GOVERNING BODY  
STATE REQUIRED POLICY**

56205(a)(12)(A), 56205(12)(D)(i-ii)

The governing body of the Special Education Local Plan Area (SELPA) is the SELPA Governing Council, which is composed of the superintendent from each of the school districts in the county and the county superintendent of schools. Members of the SELPA Governing Council are responsible to the governing boards of the local education agencies in the SELPA. The function of the Governing Council is to make final policy decisions on all matters relating to the operation, programs and financial support of the SELPA for San Luis Obispo County.

<u>LEA:</u>	<u>Vote:</u>
Atascadero Unified School District	(1)
Cayucos Elementary School District	(1)
Coast Unified School District	(1)
Lucia Mar Unified School District	(1)
Paso Robles Joint Unified School District	(1)
Pleasant Valley Joint Union Elementary School District	(1)
San Luis Coastal Unified School District	(1)
San Miguel Joint Union School District	(1)
Shandon Joint Unified School District	(1)
Templeton Unified School District	(1)
San Luis Obispo County Office of Education	(1)

The Governing Council will use a majority vote model to reach decisions regarding adoption of policies, the distribution of funding, responsibility for service provision and any other governance activities specified in the Local Plan. The Special Education Operations Committee (SEOC) will make recommendations on identified items that require the approval of the Governing Council. If the item for approval includes a fiscal impact, the SELPA director will then present the item for review and comment to the Chief Business Officials (CBOs). On most matters, the Executive Committee will review issues and bring recommendations to the Governing Council for review and approval. Minority viewpoints from the Executive Committee will also be presented to the Governing Council.

The Governing Council will meet at least quarterly, and more frequently if needed. The Governing Council shall be chaired by the County Superintendent of Schools. The SELPA director will advise the chair of the Governing Council regarding special education items to be included on the Governing Council agenda. Governing Council members may also submit items to be placed on the agenda of the Governing Council.

Approved by Governing Council on January 9, 2009

**RESPONSIBILITIES OF GOVERNING COUNCIL  
STATE REQUIRED POLICY**

56205(a)(12)(D)(i-ii)

Responsibilities of the Governing Council shall include, but not be limited to:

- Selecting three representatives from the Governing Council to serve on the Executive Committee. These representatives shall be responsible for bringing policy recommendations to the Governing Council from the Special Education Operations Committee (SEOC) and the Budget Committee.
- Provide leadership in support of the special education programs
- Adopt policies for the San Luis Obispo County Special Education Local Plan Area (SELPA)
- Coordinate and implement the Local Plan of the SELPA
- In coordination with the County Superintendent, responsible for the employment, supervision and evaluation of the SELPA director, utilizing the Executive Committee
- Review, approve and monitor the allocation of special education funds to Local Education Agencies (LEAs)
- Adopt an operations budget for the San Luis Obispo County SELPA including regionalized services and program specialist funds at an annual cost not to exceed the available funds for such service
- Approve the SELPA-wide annual budget and allocation plan for submission to the state
- Approve the Annual Service Plan
- Review and approve needed modification of this agreement on behalf of all districts in the SELPA. Adopt amendments to the permanent portion of the Local Plan.
- Monitor compliance as required by law
- Approve other necessary agreements including but not limited to, interagency agreements, intra/inter-SELPA agreements, facility agreements and excess costs agreements
- Receive recommendations from the Community Advisory Committee (CAC), Executive Committee, Budget Committee, SEOC, LEA boards, and other agencies and individuals
- Decide disputes, if any, between participating LEAs that arise concerning special education related matters or related to the interpretation of the Local Plan and other agreements or policies between or among the LEAs

Approved by Governing Council on January 9, 2009

**EXECUTIVE COMMITTEE  
STATE REQUIRED POLICY**

An Executive Committee of the Governing Council is composed of three district Superintendents (two large districts and one small district) and the County superintendent. The County Superintendent of Schools, serving as the chairperson of the Governing Council, will also chair the Executive Committee.

The primary functions of the Executive Committee are to make policy recommendations to the Governing Council and to participate in the evaluation of the SELPA director.

District superintendent members will be elected by a majority vote of the Governing Council at its last meeting of each school year. District superintendents will serve for two-year terms with two members being replaced on alternate years after the first year. For the first year, the single-year term will be determined by lot from among the three district superintendents. If a member of the Executive Committee leaves the Governing Council, the Council will appoint a replacement committee member for the remainder of the term. When new members are seated on the Executive Committee in January, there will be dual membership from May to June to facilitate the transition. This will occur whenever there is a change in membership.

The Executive Committee shall meet not less than four times per school year. Additional meetings may be called at the request of any representative of the Executive Committee pursuant to adopted policies. The San Luis Obispo County Special Education Local Plan Area (SELPA) director shall be responsible for preparing the agenda and all support material for each meeting, and serve as secretary to the Executive Committee. A quorum shall consist of the three members, two of which must be voting members.

Responsibilities of the Executive Committee shall include, but not be limited to:

- Establish a schedule of meetings for the year and schedule additional meetings as the needs of the Local Plan dictate
- Solicit, initiate or review policy statements from SEOC or the Budget Committee and recommend appropriate action to the Governing Council
- Provide direction and supervision to the SELPA director

Approved by Governing Council on January 9, 2009

**BUDGET COMMITTEE  
STATE REQUIRED POLICY**

The Chief Business Officials (CBOs) of the Local Education Agencies (LEAs) will act as a committee of the whole to provide fiscal advice to the Governing Council regarding fiscal policy and budget recommendations on Special Education Local Plan Area (SELPA) issues. The SELPA director and another member of the Special Education Operations Committee (SEOC) will meet with the Budget Committee on a regular basis as a liaison from SEOC and to provide program information to the CBOs.

Responsibilities of the Budget Committee shall include, but not be limited to:

- Establish a schedule of meetings for the year and schedule additional meetings if needed
- Solicit, initiate or review fiscal reports and recommend appropriate action to the Governing Council
- Monitor the utilization of funds within the Local Plan area, and recommend amendments to the SELPA allocation plan

Approved by Governing Council on January 9, 2009

**ANNUAL SERVICE DELIVERY PLAN  
STATE REQUIRED POLICY  
56205(b)(2)**

The San Luis Obispo County Special Education Local Plan Area (SELPA) is required to develop an Annual Service Delivery Plan to the California Department of Education. The Governing Council shall conduct a public meeting to approve the plan. The purpose of the Annual Service Delivery Plan is to provide the public with an overview of the programs and services available with the SELPA.

The Governing Council shall adopt a policy to describe the uniform program descriptors and labels to be used in the SELPA to identify the continuum of program and service options available. Innovative service designs or the piloting of new options is encouraged. The Local Education Agency (LEA) will provide SEOC members with information about changes in service delivery models to ensure all LEAs are aware of changes in service options and programs offered throughout the SELPA. The SELPA Director will inform the Governing Council of changes in service options through the adoption of the Annual Service Plan.

To assure that a full continuum of program options is available in the San Luis Obispo County SELPA, the Council endorses the following goals:

- To the maximum extent possible program options in general education environments are available at local neighborhood schools
- Special education programs, to the maximum extent appropriate to student needs, are housed on regular school campuses and dispersed throughout the SELPA
- The physical location of the program facilitates continuing social interaction with nondisabled students
- Individuals with disabilities have equal access to all general education activities, programs and facilities on the regular school site and participate in those activities as appropriate to their needs

Placement outside of the above guidelines must be justified and documented.

See Section X of the Local Plan for the complete Annual Service Plan.

Approved by Governing Council on January 9, 2009

**DISPUTE RESOLUTION  
STATE REQUIRED POLICY  
56205(b)(5)**

If a Local Education Agency (LEA) disagrees with a decision or practice of another LEA, the Special Education Local Plan Area (SELPA) office, or the Responsible Local Agency (RLA), that LEA has a responsibility to discuss and attempt resolution of the disagreement with the party, or parties, directly involved. The parties involved will present the issues to their respective superintendents, or designees, who will attempt to resolve the matter. Either party may request the direct assistance of the SELPA director, or Chair of the Governing Council, or the services of a neutral mediator from outside the SELPA. In the event the issue has not been resolved, either party may request that the issue be placed on the Governing Council agenda. The decision of the Governing Council shall be final.

Approved by Governing Council on January 9, 2009

**LITIGATION  
LOCAL POLICY**

Members of the SLO SELPA agree that:

1. When the SELPA and/or County Office of Education are named as co-litigants with a member LEA, whenever possible, they will use the LEA's legal counsel.
2. Each LEA within the SELPA shall bear the legal/settlement cost of due process matters relating to their students when that LEA is the sole litigant named or when they institute a due process case.
3. Where the COE is named as a co-litigant, the County Superintendent and the LEA Superintendent shall determine the percentage of legal/ settlement cost-sharing that will take place. The arrangement will be forwarded by the Executive Committee.
4. If an LEA is the sole litigant named in a case involving a student enrolled in a COE service, the LEA or COE may propose to the Governance Council through the Executive Committee that the COE pay for the expenses incurred.
5. In cases where the SELPA is named as a co-litigant, but has no substantial responsibility in the matter, the LEA of the concerned student will bear the SELPA legal/settlement costs.
6. If an LEA is named as a litigant or files for due process in a potential precedent setting case, the LEA may request financial support from the SELPA members by submitting a proposal through the SELPA approval process.
7. If disputes arise or if an LEA or the COE is unable to follow the above policies, the SELPA Executive Committee will be informed and make a recommendation to the Governance Council concerning resolution.
8. No matter who filed for due process in a case, or the number of litigants named in the filing, where the potential legal/settlement costs may exceed an LEA's mandatory reserve for economic uncertainty (as defined in the Education Code), the LEA shall inform the SELPA Executive Committee of this fact prior to any settlement. In such cases, the Executive Committee will make a recommendation to the Governance Council concerning support for the LEA at risk.

Replaces LAR on Legal Representation (III-41) approved October 4, 2004/June 17, 2005

Approved by Governing Council on January 9, 2009

**RESOLUTION SESSION  
LOCAL POLICY**

The San Luis Obispo County SELPA and its member LEAs recognize the importance of efforts to resolve educational disputes relating to children with disabilities at the local level. In compliance with IDEA - 04, the SELPA will develop and have in place a process for conducting a Resolution Session between the parent and district that has filed for due process.

Approved by Governing Council on January 9, 2009

**RESOLUTION SESSION  
LOCAL ADMINISTRATIVE REGULATION**

Within the San Luis Obispo County SELPA, when a due process filing occurs following steps will take place:

1. The involved LEA shall notify the SELPA as soon as possible.
2. The SELPA director, or designee, shall contact both parties to:
  - a. Explain the process
  - b. To gather information concerning desires and possible solutions
  - c. To schedule a resolution session within 15 days or sooner
3. The Resolution Session shall consist of:
  - a. Mediation between the two parties conducted by the SELPA director, his designee, a director from another district, or the district superintendent, or designee
  - b. The participants in this meeting shall be the parents and the director of the named LEA
  - c. Attorneys and/or advocates may attend this meeting to provide support or input to the party they represent, however, they may not participate in other manners
  - d. The LEA may not have an attorney present unless the parents have such representation
  - e. The use of caucuses by the mediator, although not required, is recommended for the resolution sessions
  - f. Either party may consult parties not present during the session
  - g. The session shall be scheduled for a minimum of three hours all, in one day. Additional time or sessions may be scheduled upon agreement of both parties
  - h. Any information shared or generated during a resolution session shall be confidential with the exception of a settlement agreement if achieved
4. Resolution Session outcomes:
  - a. If resolution can be reached, a settlement agreement will be developed and signed by both parties at the session. Each party has up to three days to void such agreement. And must notify the other party in writing
  - b. If resolution cannot be reached the SELPA shall provide the filing party with a letter noting that a resolution session has been held
5. Intent of Resolution Session:
  - a. Nothing in the resolution session process should be deemed as interfering with either party's right to due process. On the contrary, the resolution

***RESOLUTION SESSION (cont.)***

***LAR***

session is designed to help both parties find solutions to issues at the local level

- b. The resolution session is viewed as a non-adversarial alternative dispute resolution process that is different, but does not interfere with any other form of dispute resolution that is available prior to a party filing for due process

Approved by Governing Council on January 9, 2009