

LOCAL PLAN

Section B: Governance and Administration

SPECIAL EDUCATION LOCAL PLAN AREA



California Department of Education
Special Education Division
January 2020

B. Governance and Administration

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

Participating Local Educational Agencies

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

Special Education Local Plan Area—Local Plan Requirements

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

The San Luis Obispo County Special Education Local Plan Area (SELPA) includes all Local Education Agencies within San Luis Obispo County:

- Almond Acres Charter Academy;
- Atascadero Unified School District;
- Bellevue-Santa Fe Charter;
- Cayucos Elementary School District;
- Coast Unified School District;
- Lucia Mar Unified School District;
- Paso Robles Joint Unified School District;
- Pleasant Valley Joint Union School District;
- San Luis Coastal Unified School District;
- San Luis Obispo County Office of Education;
- San Miguel Joint Unified School District;
- Shandon Joint Unified School District; and
- Templeton Unified School District.

There are approximately 5,000 students with disabilities enrolled in the member Local Education Agencies, ages 0-22. Students with disabilities comprise approximately 15% of the total ADA in the county of San Luis Obispo. The districts range in size from approximately 50 students to 11,000 students. The districts are adjacent to Monterey County to the north, Kern County to the

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east and Santa Barbara County to the south.

The San Luis Obispo County SELPA office is located at the Morro Road Education Center in Atascadero, California.

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

The San Luis Obispo County SELPA is comprised of all school districts in the county, two charters, and the San Luis Obispo County Office of Education (SLOCOE). These districts and charters have joined in a cooperative effort to provide for the coordinated delivery of programs, services and assurance of equal access to such programs, and services to eligible persons with disabilities requiring special education in the service region. Each Local Education Agency (LEA) is responsible for adopting and implementing the Local Plan as outlined.

The governing body of the SELPA is the SELPA Governing Council which is composed of superintendents as the designated representatives of their respective LEAs. 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.

SLOCOE shall serve as the Administrative Unit (AU) for the SELPA, and the county superintendent of schools is the superintendent of the AU. 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.

3. Describe the SELPA's regional policy making process. Clearly define the roles of a multi-LEA governing body, or single LEA administration as applicable related to the policy making process for coordinating and implementing the local plan:

Changes or amendments to the permanent portion of the San Luis Obispo County Special Education Local Plan Area 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 will be permanent upon subsequent approval by all Local Education Agency (LEA) governing boards and the California State Board of Education. The Governing Council approves individual policy changes.

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

San Luis Obispo County Office of Education (SLOCOE) shall serve as the Administrative Unit (AU). The AU will perform functions for the 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 AU will advise regarding fiscal and budget-monitoring issues related to SELPA and special education programs.

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

Charter School as an LEA within the SELPA.

A charter school that includes in its petition for establishment or renewal, or that otherwise provides verifiable written assurances that the charter school will participate as an LEA for the purposes of providing special education, may apply to become a member of the San Luis Obispo County SELPA.

Application must be made to the SELPA on or before January 1 of the school year preceding the school year in which the charter school anticipates operating as a member LEA within the SELPA. The SELPA director and/or staff will review the charter school's application and develop a written recommendation within 30 days of receipt of application. Both the applicant and members of the Governing Council will receive copies of the written recommendation at least 10 days prior to the item appearing on an agenda. The Governing Council will take action to approve or disapprove the charter school as a member LEA within 60 days of application. If approved, the charter school LEA will become a member effective on July 1. Prior to final approval and full acceptance as a member LEA, the charter school will continue to be deemed a public school of the chartering district. If disapproved, the SELPA director will provide the applicant with a written finding that delineates the reason(s) for disapproval.

Once granted membership within the SELPA, the LEA charter school will participate on an equal basis with other members in the governance of the SELPA. A charter school LEA will have equal voting power with noncharter LEAs as described in this Local Plan.

If the approval of a charter school requires a change in the SELPA Allocation Plan or governance structure, such change shall be adopted pursuant to the policy making process outlined in the Local Plan. A request from a charter school to participate in the SELPA will be treated in the same manner as such a request from a school district.

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

The San Luis Obispo County SELPA Community Advisory Committee (CAC) is composed of parents of children with disabilities enrolled in public or private schools parents of other pupils enrolled in school, pupils and adults with disabilities, within the San Luis Obispo County SELPA, regular and special educators, other school personnel within the SELPA, representatives of other public and nonpublic agencies, and individuals interested in the education of children with disabilities.

The school boards of the participating LEAs shall appoint one or more members to the CAC. The governing council shall appoint one or more members at-large to the CAC. The appointed members are responsible to the Governing Board of each agency. The Governing Council shall establish policies for the operation of the CAC. The CAC serves the SELPA in an advisory capacity only, in accordance with Education Code and procedures specified in the SELPA Policy Manual.

The Governing Council will receive CAC meeting minutes as part of the Governing agendas. Regularly scheduled meetings are held to assist members in keeping well informed regarding programs and legislation for children with disabilities, and to foster closer communication with school administrators, educators, parents, and community. The CAC will advise and inform SELPA staff regarding community conditions, aspirations, and goals for children with disabilities.

The specific responsibilities of CAC are defined in Education Code 56194. These include, but are not limited to:

- Participate in the development, amendment, and review of the Local Plan and encourage community involvement in the development and review related to the Local Plan
- Recommend annual priorities to be addressed by the Local Plan
- Assist in parent education and in recruitment of parents and other volunteers who may contribute to the implementation of the Local Plan
- Encourage community involvement in the development and review of the Local Plan
- Support activities on behalf of children with disabilities
- Assist in parent awareness of the importance of regular school attendance
- Support community involvement in the parent advisory committee established pursuant to Section 52063 to encourage inclusion of parents of individuals with exceptional needs to the extent these pupils also fall within one or more definitions in Section 42238.01.

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

It is the agreement of the members of the SELPA that parents of students with disabilities and the general public shall be provided with the opportunity for comment concerning items on the agenda of the following SELPA Councils/ Committees:

1. Governance Council
2. Community Advisory Committee

The makeup, role, and function of the above groups are defined in this plan. Meetings held by these groups shall be considered Brown Act meetings in reference to the requirements for holding public hearing, providing adequate notice, and providing an opportunity for comment from the general public.

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

The San Luis Obispo County Office of Education shall be the Administrative Unit (AU) for the San Luis Obispo County SELPA. Under the direction of the SELPA, the AU shall act as the fiscal agent authorized to receive, disburse and expend funds in accordance with the approval of the Governing Council. The SELPA director is authorized by the Governing Council to implement the SELPA policies and specific Governing Council actions on behalf of the Governing Council and the SELPA. These responsibilities include, but are not limited to, the signing of official documents, state reports, and authorization of expenditures or distribution of funds as approved by the Governing Council.

9. Describe the contractual agreements and the SELPA's system for determining the responsibility of participating agency for the education of each student with special needs residing within the geographical area served by the plan:

When a LEA decides that it cannot meet the special education needs of a student(s), the LEA may enter into an agreement to contract for services with another LEA within the SELPA in a non-regionalized class. When a Regional Program Provider operates a classroom identified as a regional classroom or when a LEA operates a class that has been transferred from one regional provider to another, that LEA must offer a contracted service/class.

The following general provisions will govern Regional Program Providers when developing

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contracts for services:

1. The Regional Program Provider must provide space for any qualified student in a regional classroom. Appropriateness will be determined by the LEA offering regional services, based on guidelines, which are the same for all students.
2. A LEA which has transferred a class/service from a Regional Program Provider must allow all students who require such class/services to enroll. This includes opening new classes or adding service providers if necessary.
3. The Regional Program Provider will provide services and invoice Regional Program Consumers.
4. The costs of contracted services will be based on a per student average cost in the program operated by the Regional Program Provider unless otherwise specified in a mutually agreed-to Individual Service Agreement (ISA). See Fiscal Allocation Plan.
5. Agreements between Regional Program Providers and a LEA concerning services for a specific student will be made based on the parameters established by the Individualized Education Program (IEP). All ISAs for each student will be written after the IEP team establishes the student's placement and service(s).
6. On-going student Individual Service Agreements shall be completed by the Regional Program Provider and submitted to the Regional Program Consumer no later than October 31 of the current school year.

10. For multi-LEA local plans, specify:

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

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.

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 SELPA Local Plan for special education;

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- Participate in the governance of the SELPA through their designated representative to the Governing Council. 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.

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 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;
- Assisting the SELPA in regional planning and preparation of the 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;
- Providing facilities for special education students;
- Placing a student in a comparable special education program, following SELPA procedures, when an identified student eligible for special education moves into the 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; and
- 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.

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

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.

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

The Local Education Agencies are responsible for the coordination of special education services and programs within their agencies and for the implementation of the Local Plan. Special Education Administrators are given authority by the Governing Council to implement policies and procedures in accordance with the Local Plan.

The Special Education Administrators will make decisions by consensus. The SELPA Director will present the minority and majority viewpoint to the Governing Council. The Special Education Administrators will meet regularly. The SELPA director will act as the facilitator of the meetings.

Meetings of Special Education Administrators shall include, but not be limited to:

- Information and recommendations for the development, modification and implementation of the Local Plan to the Governing Council;
- Procedures for identification, referral, assessment, IEP development, placement and services of individuals with disabilities as established by the Local Plan;
- Recommendations to the establishment of new regional programs and/or closure of regional programs;
- Forms, procedures and recommendations for programs and services;
- SELPA-wide in-service/staff development activities, including parent education activities;
- Recommendations for Community Advisory Committee membership;
- Solutions to problems encountered in meeting federal and state laws and regulations or

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SELPA policy;

- Alternative Dispute Resolution (ADR) strategies and implement the SELPA ADR process as an alternative to complaint procedures and due process.

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

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

Responsibilities of the Administrative Unit (AU) 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 which will include, but not be limited to, the SELPA staff. Employment of such personnel will be in accordance with personnel policies and practices of the San Luis Obispo County Office of Education including hiring, supervision, evaluation, and discipline;
- Employ appropriate classified personnel in support of the Local Plan area certificated staff; and
- Provide suitable office space for both certificated and classified employees of the SELPA.

The Governing Council will conduct the evaluation of the SELPA director.

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

The San Luis Obispo SELPA shall include the method of distributing funds according to the Fiscal Allocation Plan. It shall be the policy of this SELPA to adopt the budget plan in a public meeting and include it with the Local Plan.

Allocation Plan: Revenue and Expenses

State and federal revenues received by the San Luis Obispo County SELPA are equitably allocated to the Local Education Agencies (LEAs) using the adopted revenue distribution process. The SELPA funding allocation plan ensures that cost effective services are available for all students within the SELPA.

The plan does not create an incentive to place students in special education programs. The plan

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accommodates growth and decline by individual LEAs and the addition of other special education program providers such as charter schools.

The prior year use of services and the current year SELPA-wide funding is the basis for budgeting. The plan reflects the actual costs of services used by students and each LEA is responsible for paying for services provided to their students through their federal, state, and local revenues. Some services, as noted in the allocation plan, are paid for by all LEAs in the Local Plan.

The SELPA office prepares and distributes state and federal funds according to the SELPA adopted plan.

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

Each Local Education Agency (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 SELPA has granted that charter, unless charter is designated as an independent LEA for Special Education. 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 SELPA. LEAs may enter into additional contractual arrangements to meet the requirements of applicable federal and state law.

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

The SELPA director and the Administrative Unit (AU) shall be responsible to monitor on an annual basis the appropriate use of all funds allocated for special education programs. Final determination and action regarding the appropriate use of special education funds shall be made by the Governing Council through the annual budget plan process and reflect the principles and policies of the adopted Fiscal Allocation Plan.

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

Determination of expenditures begins at the IEP level where the IEP team agrees there is a need for special equipment, materials and/or services to provide access to the curriculum and support the learning of a particular student. The district special education director reviews this

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identified need. The requesting LEA will research the cost and location of the requested item. Upon receipt of the completed packet, the SELPA director or designee will review all requests. If requests meet requirements, the requesting LEA will be notified to order the equipment or materials. Information about approved low incidence equipment or materials will be provided to the Directors. Efforts will be made to support opportunities that serve pupils in the least restrictive environment by using appropriate equipment and materials. The SELPA office keeps an inventory of all items purchased and students to whom assigned. Specialized equipment may be transferred to another educational agency if the pupil no longer needs the equipment or transfers out of the SELPA. No specialized equipment shall be transferred out of the SELPA without the approval of the SELPA Director.

Policies, Procedures, and Programs

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

1. Free Appropriate Public Education: 20 USC Section 1412(a)(1)

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

2. Full Educational Opportunity: 20 USC Section 1412(a)(2)

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

3. Child Find: 20 USC Section 1412(a)(3)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that all children with disabilities residing in the State, including children with disabilities who are homeless or are wards of the State and children with disabilities attending private schools, regardless of the severity of their disabilities, who are in need of special education and related services, are identified, located, and evaluated. A practical method has been developed and implemented to determine which children with disabilities are currently receiving needed special education and related services." The policy is adopted by the SELPA as stated:

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

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

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Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

SELPA Fiscal Year **8. Confidentiality: 20 USC Section 1412(a)(8)**Policy/Procedure Number: Document Title: Document Location:

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

☒ Yes ☐ No**9. Part C to Part B Transition: 20 USC Section 1412(a)(9)**Policy/Procedure Number: Document Title: Document Location:

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

☒ Yes ☐ No**10. Private Schools: 20 USC Section 1412(a)(10)**Policy/Procedure Number: Document Title: Document Location:

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

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private school by their parents." The policy is adopted by the SELPA as stated:

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

14. Personnel Qualifications

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA to ensure that personnel providing special education related services are appropriately and adequately prepared and trained, and that those personnel have the content knowledge and skills to serve children with disabilities. This policy shall not be construed to create a right of action on behalf of an individual student for the failure of a particular LEA staff person to be highly qualified or to prevent a parent from filing a State complaint with the California Department of Education (CDE) about staff qualifications." The policy is adopted by the SELPA as stated:

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

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Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA to provide assurances that funds received from Part B of the IDEA will be expended in accordance with the applicable provisions of the IDEA, and will be used to supplement and not to supplant state, local, and other federal funds." The policy is adopted by the SELPA as stated:

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

Policy/Procedure Title:

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Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

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Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA to prohibit school personnel from requiring a student to obtain a prescription for a substance covered by the Controlled Substances Act as a condition of attending school or receiving a special education assessment and/or services." The policy is adopted by the SELPA as stated:

☒ Yes ☐ No

Administration of Regionalized Operations and Services

Pursuant to *EC* sections 56195.7(c), 56205(a)(12)(B), 56368, and 56836.23, describe the regionalized operation and service functions. Descriptions must include an explanation of the direct instructional support provided by program specialists; and the respective roles of the RLA/AU, the SELPA administrator, and the individual LEAs associated with the SELPA. Information provided should include the reference number, document title, and the location (e.g., SELPA office) for each function:

1. Coordination of the SELPA and the implementation of the local plan:

Reference Number:

Document Title:

Document Location:

The San Luis Obispo County SELPA is comprised of all school districts in said county, the San Luis Obispo County Office of Education (SLOCOE), and the Local Education Agencies (LEAs); all of whom have joined in a cooperative effort to provide for the coordinated delivery of

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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 their respective 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.

SLOCOE shall serve as the AU for the SELPA, and the county superintendent of schools is the superintendent of the AU. 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.

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 LEAs and uniform procedures for
- individual service agreements;
- provision of program specialist services; and
- evaluation, program review, and data collection.

2. Coordinated system of identification and assessment:

Reference Number:

LP 3.1

Document Title:

Child Find

Document Location:

8005 Morro Road, Atascadero, CA 93422

Description:

The San Luis Obispo County SELPA carries out a variety of activities to ensure that all individuals ages 0-21 with disabilities residing within its jurisdiction who are in need of special education and related services, are identified, located, and evaluated. These individuals include students with disabilities that are homeless, wards of the State, and/or are attending private schools. These activities include maintaining an ongoing system of coordination, documentation, and reporting with regard to child find and public awareness activities throughout the

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SELPA, as required by statutes and regulations.

3. Coordinated system of procedural safeguards:

Reference Number: FAAR 5.1

Document Title: Procedural Safeguards

Document Location: 8005 Morro Road, Atascadero, CA 93422

Description:

Each LEA shall ensure that parents be afforded all procedural safeguards and receive written notification of their procedural safeguards including their right to file a complaint or for a due process hearing. A copy of the procedural safeguards shall be offered to the parents, at least one time a year, except upon: 1) initial referral; 2) parent request for evaluation; 3) first filing for a due process hearing; or 4) upon parent request.

The notice of procedural safeguards shall be available in the primary language of parents upon their request, unless to do so is clearly not feasible. The written notice shall be in a language easily understood by the general public and shall include the following: 1) the right to initiate a referral of a child for special education services; 2) the right to obtain an independent educational evaluation; 3) the right to participate in the development of the IEP and to be informed of the availability of a free and appropriate public education (FAPE) and of all alternative programs, both public and nonpublic.

Planning for the needs of non-English speaking parents shall include access to interpreters and translators, unless to do so is clearly not feasible. The procedural safeguards are maintained by the SELPA office. The SELPA will update the procedural safeguards on an as needed basis due to changes in the federal or state law.

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

Reference Number: LP 23.2

Document Title: SELPA PROCEDURES FOR DETERMINING PERSONNEL DEVELOPMENT NEEDS

Document Location: 8005 Morro Road, Atascadero, CA 93422

The SELPA member LEAs agree that laws regulating special education

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recognize the value of providing information for all persons concerned with individuals with disabilities. Priority is placed on continuing staff, parent, and community trainings. The SELPA will provide leadership and support in this effort. The SELPA selects specific areas for staff development based on input from parents via the Community Advisory Committee, regular and special education staff, and administrators. The results are used to design the annual staff development plan.

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

Reference Number:

SRP 9.1

Document Title:

FULL ACCESS TO CORE CURRICULUM STATE REQUIRED POLICY

Document Location:

8005 Morro Road, Atascadero, CA 93422

Description:

Each LEA shall ensure that students with disabilities will have full access to the following unless otherwise provided in a student's IEP:

- All required core curriculum, including state adopted core curriculum textbooks, supplementary textbooks; and
- instructional materials support in order for students with disabilities to attain higher standards in reading.

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

Reference Number:

LP 21.2

Document Title:

COORDINATED SYSTEM INTERNAL PROGRAM REVIEW

Document Location:

8005 Morro Road, Atascadero, CA 93422

E. C. 56600 was written, in part, to ensure that SELPAs participate with all State efforts to provide for ongoing comprehensive evaluation of special education programs in order to refine and improve programs, policies, regulations, guidelines, and procedures on a continuing basis and to assess the overall merits of these efforts.

Role of the SELPA Governing Board: The SELPA Governing Board shall be responsible for adopting policies relating to the Local Plan, evaluating the special education plan yearly in order to insure that all students with disabilities are being served, and adopt the SELPA Budgets and Service Plans.

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Description:

Role of the Program Specialist: The Program Specialists shall provide direct instructional support/teacher coaching and modeling and coordination of curricular resources; academic, social-emotional, and behavior, to assist with educational accountability.

Role of the SELPA Director: The SELPA Director will provide technical assistance, professional learning opportunities, compliance and monitoring support, consultation on the plan as requested or as determined appropriate, and meet regularly with LEA special education administrators to monitor implementation of the Local Plan.

Role of the LEAs: The LEAs will determine their needs for curriculum development, alignment with the core curriculum and professional development. In addition, regularly review policies and procedures with staff for implementation of the Local Plan.

7. Coordinated system of data collection and management:

Reference Number:

SRP 19.4

Document Title:

Regionalized Services

Document Location:

8005 Morro Road, Atascadero, CA 93422

Description:

The San Luis Obispo SELPA coordinates program review across LEAs, conducts evaluations, and supervises data collection and development of the management information system and reporting at the state level.

8. Coordination of interagency agreements:

Reference Number:

LP 21.4

Document Title:

COORDINATION WITH OTHER LOCAL AGENCIES

Document Location:

8005 Morro Road, Atascadero, CA 93422

Provision of Services From Other Agencies:

The LEA is responsible for obtaining all services and service providers as required in the IEP. The LEA shall monitor the statutory timelines to ensure that services are provided without delays.

Procedures for Obtaining Related Services Provided by Another Agency:

The San Luis Obispo County SELPA has interagency agreements with

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Description:

California Children's Services (CCS) and Tri-Counties Regional Center (TCRC). CCS provides occupational therapy and physical therapy when it is medically necessary and meets eligibility criteria. TCRC provides various support services to eligible clients based on an application process.

Assurance of Services When Another Agency Fails to Provide Related Services:

When another agency providing a related service fails to provide the service listed on the IEP, the LEA is responsible and shall provide the service in accordance with an IEP, unless otherwise provided by law, without a disruption in service, and at no cost to the parent. The LEA would then have the option of seeking reimbursement from the agency through due process.

Agency Participation in an IEP Which Addresses Post Secondary Transition:

Section 300.21 (b)(3) states:

"To the extent appropriate, with the consent of the parents or a child who has reached the age of majority, in implementing the requirements of paragraph (b)(1) [Transition services participants] of this section, the public agency must invite a representative of any participating agency that is likely to be responsible for providing or paying for transition services."

- a. LEAs shall invite potentially responsible participating agencies to most IEPs that relate to transition.
- b. LEAs shall obtain consent from the parents/student prior to inviting possible responsible agencies.
- c. LEAs shall document:
 - Attempts to gain permission from the parents/student to invite possible participating agencies.
 - Invitation of participating agencies.

9. Coordination of services to medical facilities:

Reference Number:

LP 22.3

Document Title:

SERVICES TO HOSPITAL, FOSTER FAMILY HOMES/LICENSED CHILDREN'S INSTITUTION AND JUVENILE COURT SCHOOL STUDENTS

Document Location:

8005 Morro Road, Atascadero, CA 93422

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Description:

The San Luis Obispo County SELPA has made provisions for service delivery to hospitalized individuals with disabilities.

The Local Education Agency in which the hospital is located is responsible for providing the service. The sending district shall cooperate in sending pertinent school records to the LEA.

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

Reference Number:

LP 22.3

Document Title:

SERVICES TO HOSPITAL, FOSTER FAMILY HOMES/LICENSED CHILDREN'S INSTITUTION AND JUVENILE COURT SCHOOL STUDENTS

Document Location:

8005 Morro Road, Atascadero, CA 93422

Description:

The San Luis Obispo County SELPA has made provisions for service delivery to hospitalized individuals with disabilities, individuals with disabilities, individuals in Licensed Children's Institutions (LCIs), foster homes, and individuals in the juvenile court system.

The Local Education Agency (LEA) in which the foster home or LCI is located is responsible for providing the service. The sending district shall cooperate in sending pertinent school records to the LEA.

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

Reference Number:

SRP 21.1

Document Title:

PREPARATION AND TRANSMISSION OF REQUIRED SPECIAL EDUCATION LOCAL PLAN AREA REPORTS

Document Location:

8005 Morro Road, Atascadero, CA 93422

The California Department of Education (CDE) requires each SELPA to collect specified data and transmit it.

The San Luis Obispo County SELPA shall collect, prepare and submit all information required by the CDE, Special Education Division including statistical data, program information and fiscal information related to the programs and services for children with disabilities in the SELPA in accordance with established timelines.

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Description:

The SELPA implements a data collection and storage system that provides for the management and reporting of required data for state and federal systems. The SELPA coordinates with California Longitudinal Pupil Achievement Data System (CALPADS) to collect and report all required data related to special education program services, and to provide other pertinent information.

SELPA staff support member LEAs in the collection and reporting of required information including data related to compliance, due process procedures, availability of services, performance indicators, etc. The SELPA staff provide support for a system that is responsive to the data needs of the LEAs and implements a continuous improvement model of data collection.

12. Fiscal and logistical support of the CAC:

Reference Number:

SRP 19.2 & SRP 19.3

Document Title:

CHANGES IN THE GOVERNANCE STRUCTURE/RESPONSIBLE LOCAL AGENCY (RLA)

Document Location:

8005 Morro Road, Atascadero, CA 93422

Description:

Changes or amendments to the permanent portion of the San Luis Obispo County 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 LEA governing boards and the California State Board of Education. The Governing Council will approve individual policy changes.

The San Luis Obispo County Office of Education shall serve as the AU. The AU will perform functions for the 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.

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

Reference Number:

LP 8.1

Document Title:

Transportation for Students with Disabilities

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Document Location: 8005 Morro Road, Atascadero, CA 93422

Description: The San Luis Obispo County SELPA shall ensure that transportation services are provided for students with disabilities as specified in their IEP. LEAs shall make transportation available for students at no cost to parent/guardian when specified as a related service in the student's IEP. The LEA shall establish criteria and procedures for determining the most appropriate mode of transportation for an individual student based on identified needs as determined in the IEP or 504 accommodation plan. Arrivals and departures shall not reduce the length of the school day for these students except as determined by the IEP process.

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

Reference Number: SRP 2.1

Document Title: COORDINATION OF CAREER AND VOCATIONAL EDUCATION & TRANSITION SERVICES

Document Location: 8005 Morro Road, Atascadero, CA 93422

Description: As a condition of receiving funds apportioned to the SELPA for regionalized operations and services, coordination of career and vocational education and transition services are required.

The San Luis Obispo SELPA provides coordination by:

- Partnering with state and local agencies for career and vocational education;
- Administering a Workability-1 grant to provide career opportunities to students;
- Providing professional coaching in the LEAs for developing and providing appropriate transition services;
- Supporting LEAs in implementing transition services in the IEP;
- Ensuring appropriate interagency agreements are in place to facilitate connection to agencies, as appropriate;
- Supporting program development and innovation of special methods and approaches for career and vocational education.

15. Assurance of full educational opportunity:

Reference Number: FAP 2.1

Document Title: Full Educational Opportunity

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Document Location: 8005 Morro Road, Atascadero, CA 93422

Description: It shall be the policy of each LEA that all children with disabilities have access to the full continuum of educational programs, non-academic programs and services available to non-disabled children.

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

Reference Number: LP 20.2

Document Title: Distribution of Federal and State Funds

Document Location: 8005 Morro Road, Atascadero, CA 93422

Description:

The SELPA, the AU and each LEA shall establish appropriate record-keeping procedures in accordance with state and federal requirements, maintain accurate fiscal accounting records, and prepare and submit required accounting records in a manner that facilitates requisite audits by a Certified Public Accountant.

The SELPA director is authorized by the Governing Council to implement the San Luis Obispo County SELPA policies and specific Governing Council actions on behalf of the Governing Council and the SELPA. These responsibilities include, but are not limited to, the signing of official documents, state reports, and authorization of expenditures or distribution of funds as approved by the Governing Council.

The Governing Council shall adopt a budget calendar and all mandated budget adoption and cost accounting procedures required by law.

The SELPA is required to develop an Annual Budget Plan. The Governing Council shall conduct the public meeting as required. The purpose of the Annual Budget Plan is to provide the public with an overview of the resources available as allocated within the SELPA.

The Governing Council shall adopt policies to allocate and distribute funds.

All federal and state special education funds shall be allocated to the SELPA AU for distribution to LEAs according to an approved special education funding allocation plan. Any changes to the allocation of federal and state special education funds shall be made by the

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Governing Council.

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

Reference Number: SRP 19.5

Document Title: Program Specialist Services

Document Location: 8005 Morro Road, Atascadero, CA 93422

Description:

In the San Luis Obispo SELPA, program specialist services are provided as part of the regionalized services. Program specialists provide a range of services including, but not limited to:

- Observe, consult with, and assist regular and special education staff;
- Plan programs, coordinate curricular resources, and share in the evaluation of program effectiveness 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;
- Participate in and/or facilitate IEP team meetings when technical assistance is requested;
- Consult with principals and administrators who operate special education programs;
- Provide or assist with staff development trainings and parent and community member informational workshops.

Special Education Local Plan Area Services

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

Reference Number: LP 4.1

Document Title: PROVISION OF SPECIAL EDUCATION SERVICES
TO STUDENTS WITH DISABILITIES

Document Location: 8005 Morro Road, Atascadero, CA 93422

It is the intention of the Special Education Local Plan Area (SELPA) to provide a full continuum of services to students with disabilities, including students in charter schools, throughout the geographic region of the SELPA. Access to services is through each of the Local

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Description:

Education Agencies (LEAs). The referral, assessment and Individualized Education Program (IEP) process is utilized to identify the needs of each individual student with disabilities. The LEAs have committed to SELPA policies and procedures to assure that students will have appropriate services provided in the least restrictive environment. This includes individuals ages birth to 22.

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

Reference Number:

FAP 24.1

Document Title:

Public Participation

Document Location:

8005 Morro Road, Atascadero, CA 93422

Description:

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

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

Reference Number:

SRP 19.10

Document Title:

Dispute Resolution

Document Location:

8005 Morro Road, Atascadero, CA 93422

Description:

If a LEA disagrees with a decision or practice of another LEA, the SELPA office, or the AU, 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.

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

Reference Number: LAR 6.1

Document Title: INITIAL/ANNUAL/TRIENNIAL REASSESSMENT

Document Location: 8005 Morro Road, Atascadero, CA 93422

Description:

The assessment plan is developed within 15 days from the date of referral not counting days between sessions or school vacations, unless the parent agrees in writing to an extension. When a referral is made 10 days or fewer prior to the end of the regular school year, an assessment plan shall be developed within 10 days of the commencement of the next regular school year (EC 56043(a)/EC56321(a)).

Assessments are conducted by a multidisciplinary team, including at least one teacher or specialist knowledgeable in the area of suspected disability. All students being assessed for initial and 3-year reassessments have had current vision and hearing screening, unless parental permission was denied. Personnel are competent and appropriately trained to administer and interpret test results and, when necessary, are knowledgeable and understanding of cultural and ethnic backgrounds and competent in both the oral and written skills of English Language Learners (EL). When appropriate, an interpreter is used. Individuals are assessed in their primary language or other mode of communication and in all areas related to the suspected disability.

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

Reference Number: LP 22.2

Document Title: NONPUBLIC, NONSECTARIAN SCHOOL AND AGENCY SERVICES FOR SPECIAL EDUCATION

Document Location: 8005 Morro Road, Atascadero, CA 93422

Each LEA that contracts with a nonpublic, nonsectarian school shall evaluate the placement of its pupil(s) in such schools on, at least, an annual basis as part of the annual IEP review. Prior to placement of a pupil, the LEA/SELPA that enters into a master contract with an NPS

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Description:

shall conduct an onsite visit if the LEA does not have any pupils enrolled at the school at the time of placement. The LEA representative shall review the master contract, the individual services agreement, and the IEP to ensure that all services agreed upon and specified in the IEP are provided. Nonpublic, nonsectarian schools are required by the master contract and the IEP to annually evaluate the students to determine if they are making appropriate educational progress. The LEA representative shall collaboratively review with the nonpublic, nonsectarian school the evaluations conducted by the nonpublic, nonsectarian school to ensure that they were appropriate and valid for assessing pupil progress. The LEA may choose to administer additional assessments as necessary, with parent consent, to determine whether the pupil is making appropriate educational progress. The NPS is to include in its certification application documentation that it will train staff who will have contact or interaction with pupils during the school day as well as information regarding the credentials/degree/license and experience of the administrator of the NPS. The SELPA can act as a liaison between the NPS and placing agency/LEA to support supervision and monitoring to:

- Evaluate the educational progress of each pupil placed in a nonpublic, nonsectarian school, including all state assessment results;
- Consider whether or not the needs of the pupil continue to be best met at the nonpublic, nonsectarian school and whether changes to the IEP are necessary, including whether the pupil may be transitioned to a public school setting;
- Monitor progress toward attaining graduation or a certificate of completion.

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

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

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

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DOR is based on the residence of the conservator. (EC Section 56041)

Reference Number:

LP 22.4

Document Title:

Services to Adult Students in County Jail Facilities

Document Location:

8005 Morro Road, Atascadero, CA 93422

Description:

Free Appropriate Public Education (FAPE):

Every individual with exceptional needs who is eligible to receive special education instruction and related services under the IDEA and state special education laws, shall receive that instruction and those services at no cost to his or her parents or, as appropriate, to him or her. A FAPE shall be available to individuals with exceptional needs in accordance with Section 1412(a)(1) of Title 20 of the United States Code and Section 300.101 of Title 34 of the Code of Federal Regulations.

Eligible Adults:

Adults who are aged 18 through 21 years, who have not graduated with a high school diploma, who, at the time they turned 18 years were identified as an individual with exceptional needs and had an IEP under the IDEA, are also entitled to a FAPE (hereinafter, "eligible adults"). This applies to adults incarcerated in California adult jails and prisons. However, an individual, aged 18 through 21 years, who, in the educational placement prior to his or her incarceration in an adult correctional facility was not identified as an individual with exceptional needs or did not have an IEP under the IDEA, is not entitled to a FAPE.

District of Residence:

For eligible adults who prior to reaching the age of majority resided within the San Luis Obispo County SELPA geographic boundaries, the applicable LEA within the SELPA shall ensure they have available to them a FAPE. If the parent relocates to a new district of residence, the new district of residence shall become the responsible LEA. If the student is conserved, the residence of his or her conservator shall control.