

LOCAL PLAN
Section B: Governance and Administration
SPECIAL EDUCATION LOCAL PLAN AREA



California Department of Education
Special Education Division

SELPA

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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: [*EC 56195.1(d); EC 56195.1(a)(1); EC 56211; EC 56212*]

The El Dorado County SELPA is a multi-LEA SELPA comprised of fourteen school districts and the El Dorado County Office of Education. The LEAs are joined together to provide for the coordinated delivery of programs and services to students with disabilities in the SELPA’s geographic region. The El Dorado County Office of Education is the designated Responsible Local Agency/Administrative Unit (RLA/AU) for the El Dorado County SELPA. The El Dorado County Office of Education is considered an LEA for all purposes of this agreement except where referred to as the RLA/AU. In adopting the local plan, each participating LEA agrees to carry out the duties and responsibilities assigned to it within the plan and to ensure equal access to programs and services to eligible persons requiring special education in the service region.

The following 15 Local Education Agencies (LEAs) comprise the El Dorado County SELPA:

- Black Oak Mine Unified School District
- Buckeye Union School District
- Camino Union School District
- El Dorado County Office of Education
- El Dorado Union High School District
- Gold Oak Union School District
- Gold Trail Union School District
- Indian Diggings School District
- Latrobe School District

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- Mother Lode Union School District
- Pioneer Union School District
- Placerville Union School District
- Pollock Pines School District
- Rescue Union School District
- Silver Fork School District

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: [EC 56195.1(b)(1)-(3)(c); EC 56205(a)(12)]

The governance structure of the SELPA is established by agreement among the governing boards of the member LEAs. It consists of the SELPA Superintendents' Council, the SELPA Executive Committee, and the Community Advisory Committee. The SELPA Administrator may convene additional committees. The SELPA administrative unit coordinates and implements the local plan under the supervision of the County Superintendent of Schools.

Pursuant to the provisions of Education Code Section 56030, the Administrative Unit (AU) shall receive and distribute regionalized services funds, provide administrative support, and coordinate the implementation of the El Dorado County Local Plan for Special Education in all member LEAs located within the El Dorado County SELPA. The AU shall perform such services and functions required to accomplish the goals set forth in the plan.

The SELPA Superintendents' Council (SSC) is an administrative body that shall consist of a superintendent from each of the participating LEAs and the superintendent of the AU or a designee, each of whom shall perform a liaison function between the LEA governing board and the SSC. LEA superintendents exercise their authority and responsibilities in accordance with policies and procedures of their local governing boards and within the voting procedures of the SSC. The superintendent from each of the participating LEAs and the superintendent of the AU or a designees, as representatives of their governing boards and the County Board of Education respectively, approve the Local Plan for Special Education. The Boards of Education delegate the administrative policy-making process and procedures for carrying out that responsibility to the governance structure of the SELPA.

The SSC shall consider recommendations submitted by the SELPA Administrator and take action as appropriate.

At the direction of the SSC, the SELPA Administrator will have the responsibility for the coordination and implementation of SSC decisions. The SSC shall have final authority to act

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upon fiscal and policy recommendations including changes to the local plan. Each LEA participating in the SELPA represents one (1) of the fifteen allotted votes on the SELPA Superintendents' Council.

Representatives of a majority of member LEAs must be present in order to form a quorum and take action on any item. For instance, to form a quorum requires attendance by fifty percent (50%) plus one of the members (8 LEAs). Approval of any action requires a majority vote of the quorum.

The SCC shall adopt a public meeting schedule annually according to Brown Act requirements to receive information or take action on SELPA recommendations. The SELPA Executive Committee serves as an informal advisory body to the SELPA Administration. The Committee considers and advises the SELPA administration on matters including, but not limited to, program operations, shared risk pool requests, strategic planning, procedural matters, and fiscal considerations. The Committee shall have no continuing subject matter jurisdiction. The Committee shall be comprised of superintendents representing one (1) High School District, one (1) Unified District, up to four (4) Elementary Districts and the County Office of Education. Superintendents on the Committee serve as representatives for local education agencies of similar size, and with like interests, in considering and advising matters pertaining to the SELPA. However, at no time shall an Executive Committee meeting be conducted with a majority of SELPA Superintendents' Council members. Elementary School District members of the SELPA Executive Committee shall be appointed by the SELPA Superintendents' Council at a regularly scheduled meeting in the spring of each year, for the following fiscal year.

The Special Education Community Advisory Committee (CAC) serves the SELPA and the RLA in an advisory capacity. Each LEA shall be entitled to appoint one representative, approved by the LEA governing board or the County Board as appropriate, to participate on the CAC to serve annually staggered terms in accordance with Education Code Section 56191 for a period of at least two years. Selected representatives will be students and adults with disabilities, general education teachers, special education providers, other school personnel within the SELPA, representatives of other public or non-public agencies, or persons concerned with the education of persons with disabilities. The CAC will advise the SELPA Administrator on the implementation of the El Dorado County Local Plan for Special Education.

The Community Advisory Committee shall have the authority and fulfill the responsibilities as defined in statute and the local plan.

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: [EC 56195.7(i)(j)(1)(2)]

The SELPA will ensure that there are opportunities for public participation prior to the adoption of any SELPA policies. To support and encourage public participation, the SELPA will hold public hearings, provide adequate notice of the hearings, and provide opportunities for

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members of the public, including individuals with disabilities and parents of children with disabilities, to review and comment on any proposed policies and/or regulations necessary for compliance with part B of the IDEA.

Pursuant to the Local Plan, any proposed policies (or amendments to policies) are presented to the SELPA Superintendents' Council for a first reading and then brought back for revision, review and/or adoption at a later meeting.

While under SELPA Superintendents' Council review, the proposed policies are available for review and comment by member LEAs, the public, parents of children with disabilities, and individuals with disabilities. During this period of review, the Council may decide to request that the proposed policies (or amendments) be reviewed by other ad hoc committees or groups.

The SELPA's policy revision process is as follows:

1. The SELPA identifies the need to revise a policy.
2. The SELPA creates a draft policy.
3. The draft policy is presented to the SELPA Executive Committee for input prior to being presented to SELPA Superintendents' Council for a first reading.
4. The draft policy is presented for a first reading to the SELPA Superintendents' Council.
5. The SELPA solicits public input for no less than twenty (20) days.
6. The SELPA will compile input and consider revisions based on public input.
7. The compiled public input will be presented to the SELPA Executive Committee.
8. The SELPA will provide public notice of the pending adoption at the next SELPA Superintendents' Council Meeting.
9. The policy and compiled input will be presented to the SELPA Superintendents' Council for review and/or approval.

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: [EC 56195.1(c); EC 56205(a)(12)(D)(i); EC 56195.5]

The El Dorado County SELPA has designated the El Dorado County Office of Education as the Responsible Local Agency/Administrative Unit (RLA/AU) and the County Superintendent of Schools as the Superintendent of the RLA/AU. The SELPA administrative unit coordinates and implements the local plan under the supervision of the County Superintendent of Schools.

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5. Does the SELPA have policies and procedures that allow for the participation of charter schools in the local plan? [EC 56207.5]

- Yes No

If No, explain why the SELPA does not have the policy and procedures.

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: [EC 56194(a)(b)(d); EC 56195.9(a)]

The members of the Community Advisory Committee (CAC - Education Code Section 56191) shall be appointed by and be responsible to the Governing Board of each participating district or the County Board of Education as appropriate. The CAC shall be an advisory entity to the RLA/ AU, and Governance Structure.

The CAC is comprised of parents of students with disabilities enrolled in public or non-public schools within the El Dorado County SELPA boundaries and may include students and adults with disabilities, general education teachers, special education providers and other school personnel within the SELPA, representatives of other public or non-public agencies, and persons concerned with the education of persons with disabilities.

The responsibilities of the CAC shall include, among other things, advisement to the SELPA in the development, amendment, and review of the Local Plan. The CAC shall have no less than 30 days to conduct this review. The SELPA shall review and consider comments from the CAC pursuant to Education Code Sections 56194(a) and 56205(b)(7).

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: [EC 56205(a)(12)(E); EC 56205(b)(7)]

The El Dorado County SELPA's process for regular consultations regarding the plan development with representatives of special education and regular education teachers and administrators by the groups they represent, and parent members of the CAC shall occur as often as deemed necessary and no less than every three years.

The Local Plan is developed and updated cooperatively. The Local Plan shall be reviewed whenever new legislation, regulations and/or guidelines or major changes in funding or services

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indicate the need for possible modification of the Local Plan.

Amendments to the Local Plan may be proposed by the SELPA and shall be approved and permanent upon subsequent approval by the Superintendents of participating LEAs as delegates of their local governing boards and by the County Superintendent of Schools as a delegate of the County Board of Education. Once approved by delegates of the participants' local governing boards, the amended local plan will be submitted for approval by the California Department of Education. Nothing in the section shall modify the requirements of Education Code section 56205 requiring annual budget and annual service plan.

Changes or amendments to the permanent portion of the local plan may be considered during the annual services and budget planning process. Amendments approved in this manner would become permanent upon subsequent approval by the SELPA Superintendents' Council.

Appendices to the local plan are part of the permanent portion of the local plan, and each appendix may be amended by virtue of its own provision(s) for amendment.

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: [EC 56836.01(a)(b); EC 56205(a)(12)(D)(ii); EC 56195(b)(3); EC 56030]

Each member agency within the SELPA, through participation in the local plan, has requested the El Dorado County Office of Education be designated the Responsible Local Agency (RLA) and the Administrative Unit (AU) for the SELPA. Pursuant to the provisions of Education Code Section 56030, the RLA shall receive and distribute regionalized services funds, provide administrative support, and coordinate the implementation of the El Dorado County Local Plan for Special Education in LEAs in the County specified in the Local plan and approved by the California Department of Education. In order to accomplish the goals set forth in the local plan, the SELPA and the RLA/AU shall provide the following services and activities. As noted earlier, the SELPA administrative unit coordinates and implements the local plan under the supervision of the County Superintendent of Schools. As such, the RLA/AU through the County Superintendent of Schools has overall responsibility for implementation, coordination, communication, and review of the local plan provisions. Recognizing this relationship, the SELPA administrative unit has primary responsibility for the following services and activities:

1. Maintain SELPA policies and procedures for referring and placing individuals with exceptional needs who are enrolled in the LEAs, including the methods and procedures for communication with the parents and/or guardians of the students according to SELPA Local Plan, Policies and Procedures.
2. Organize and maintain the Special Education Professional Learning Community to monitor

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the operations of the local plan and make recommendations for necessary revisions.

3. Ensure the organization and maintenance of the Special Education Community Advisory Committee (CAC) as part of the responsibility of the RLA to coordinate the implementation of the plan pursuant to Education Code Section 56030. Provide for the attendance of designated members of the RLA's staff at all regularly scheduled CAC meetings.
4. Coordinate community resources with those provided by LEAs and SELPA, including providing such contractual agreements as may be required.
5. Coordinate State special education accountability processes.
6. Provide alternative dispute resolution support and services.
7. Develop interagency referral and placement procedures.
8. Provide regular personnel development training sessions for LEA staff responsible for administering or delivering special education programs and services.
9. Provide reasonable and appropriate technical assistance and information to the LEA upon request from LEA administration, including but not limited to:
 - Evidence-based practices.
 - Program development and improvement.
 - Individual cases.
 - State complaints.
 - Requests for due process mediation and hearing.
 - Appropriate programs and services for specific pupils.
 - Other services reasonable and necessary to the administration and coordination of the Local Plan.

The RLA/AU has primary responsibility, with the support of the SELPA administrative unit, for the following activities and services:

- Governance

Organize and maintain the governance structure of the local plan and make recommendations for necessary revisions, including, but not limited to, the local plan, allocation plan and policies.

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- Data Reporting
 - Establish and maintain methods, timelines, and forms to submit required federal, state and SELPA reports.
 - Provide the method and forms to enable the LEAs to report to the SELPA on student enrollment and program expenditures. Establish and maintain a pupil information system.
 - Public Meetings
 - Schedule public meetings for purposes of governance activities and adopting the Annual Service Plan and Budget Plan.
 - Fiscal Responsibilities
 - Receive, compile, and submit required enrollment reports and compute all special education apportionments; receive data from LEAs to compile and submit budgets for the programs and monitor the fiscal aspects of the programs conducted, and receive the special education apportionments as authorized by applicable law.
 - Receive, distribute, and oversee the expenditure of special education funds in accordance with federal and state regulations and the SELPA Allocation Plan.
 - Administrative
 - Serve as the employing agency for personnel who have responsibilities throughout the local plan area, including but not limited to the SELPA administrator for the local plan area, program specialists, and classified employees of the SELPA. Employment of such personnel will be in accordance with personnel policies and practices of the RLA.
 - Establish and maintain those programs and services requested through the governance structure and agreed to by the County Superintendent.
 - Receive special education funding in accordance with the Allocation and Budget Plan and in accordance with the funding generated by the RLA computations for programs/services maintained by the RLA.
- Perform other services necessary to the administration and coordination of the Local Plan.

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: [EC 56195.7. EC 56195.1(b)(c)]

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nonsectarian agencies (NPA) certified by the CDE, via the appropriate certification process. The SELPA has the authority to visit, observe, monitor and report on the educational program provided by any NPS/NPA under contract with the LEA or involved in a potential placement with the LEA.

The SELPA shall consider the needs of the individual student and the recommendations of the IEP team when entering into agreements with nonpublic schools or agencies. The IEP team shall remain accountable for monitoring the progress of a student placed in a nonpublic program.

The Master Contract used with nonpublic schools and nonpublic agencies is modeled after the State Master Contract and Service Agreement which contains requirements to allow the SELPA to monitor the placement and services of students in certified nonpublic schools. The LEA shall hold at least an annual IEP that will facilitate the evaluation of the placement and services to ensure implementation of the IEP. The Master Contract contains language requiring reporting from the certified nonpublic schools regarding IEP progress as required by the LEA. The annual data provided by the certified nonpublic school shall be authentic curriculum-based measurements, in accordance with the state-adopted grade level standards.

Interagency agreements necessary to support the implementation of the Local Plan, and as required by legal mandates, have been developed with the following agencies:

- a. Regional Center
- b. California Children's Services
- c. Head Start

Other interagency agreements will be developed as needed.

The LEA of Residence is the entity deemed accountable for all students identified as students with disabilities and placed under the auspices of an LEA IEP Team. In most instances, the LEA of Residence is the school district in which the residency of the student's parent/guardian is located. However, there are several exceptions where Education Code shifts responsibility to provide education to agencies other than the school district where the parent/guardian resides, as noted in the following examples:

Students with approved interdistrict agreements in accordance with E. C. Sections, 46600-46607

- Students whose parent is physically employed within the boundaries of a school district in accordance with E.C. Section 48204(b),
- Students attending a school in a district of choice in accordance with E.C. Sections

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48300-48317;

- Students eligible under McKinney-Vento Homeless Act provisions (42 USC §§ 11431 et. seq.);
- Adjudicated youth detained in juvenile hall facilities (E.C. Section 48645);
- Students placed in alternative education programs, such as County Community Schools, pursuant to E.C. Sections 1980-1986;
- Students placed in licensed children’s institutions or licensed foster homes;
- Students enrolled in charter schools that are deemed LEAs for special education purposes. Students that are placed in charter schools that are deemed LEAs and that are members of other SELPAs, outside of El Dorado County are the responsibility of the LEA charter school and the SELPA of which they are a member.

The examples listed above are not an exhaustive list, but rather are provided to highlight the applicability of the term “LEA of Residence.” As such the term “LEA of Residence” is used throughout this document to refer to and identify the entity that meets the legal definition of residency for purposes of assigning accountability. The LEA of Residence shall be responsible for providing special education programs and/or services to each individual with exceptional needs residing within the district boundaries and/or deemed as meeting “residency criteria,” under state and/or federal mandates. The LEA of Residence may utilize any of the following options, in order to develop or determine an appropriate public education program for a student with disabilities with an IEP requiring special education program and/or services, and in accordance with the least restrictive environment mandate.

- Remain in regular education program with supportive assistance.
- Placement in a district-operated special education program and/or service.
- Referral and consideration for placement in a County Office of Education program and/or service.
- Referral and consideration for placement in another district-operated special education program and/or service.
- Referral and consideration for placement in a public agency special education program and/or service, other than an educational agency.
- Referral and consideration for placement in a nonpublic, nonsectarian school and/or agency for special education program and/or service.
- Referral and consideration for diagnostic services and/or placement in a state school.

The County Office of Education and school districts within the SELPA provide services to

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students with disabilities whose parents and/or legal guardians reside within the geographic boundaries of the SELPA, in accordance with the legal provisions related to LEAs of residence.

As described previously, the LEA of residence retains responsibility for providing a free appropriate public education for all students with disabilities served through any and all of the options noted above. This responsibility includes but is not limited to convening and/or participating in IEP Teams for the annual review and tri-annual evaluations. The SELPA may aid the LEA of residence in the discharge of the responsibility delineated above.

10. For multi-LEA local plans, specify:

- a. The responsibilities of each participating COE and LEA governing board in the policymaking process: [EC 56205(a)(12)(D)(i)]

The governing board for each school district and the County Board of Education delegate the approval of the Local Plan for Special Education to their respective Superintendent through the Superintendents' Council. As described within the Local Plan, the Boards of Education further delegate the administrative policy-making process and procedures for carrying out that responsibility to the governance structure of the SELPA.

- b. The responsibilities of the superintendents of each participating LEA and COE in the implementation of the local plan: [EC 56205(a)(12)(D)(i)]

Superintendents from each of the participating LEAs and the County Office of Education participate in the SELPA Superintendents' Council, which takes final action on policies and the allocation plan and communicates and presents to their respective governing boards and to all LEAs whom they represent.

- c. The responsibilities of district and county administrators of special education in coordinating the administration of the local plan: [EC 56205(a)(12)(D)(i)]

LEAs are responsible for the coordination of special education services and programs within their LEA and for the implementation of the Local Plan. Placement in special education programs or services occurs only when the nature or severity of the disability is such that the child's education in general education, even with the use of accommodations and/or modifications of the general education program and/or the use of supplementary aids or programs, cannot be achieved satisfactorily. Students with disabilities are served in their home districts whenever possible. However, it is recognized that some students have unique educational needs requiring that services be provided by other districts or the County Office of Education. LEA of residence responsibilities include:

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- Coordinating and conducting child find activities.
- Developing and providing programs and services for all eligible students for whom the LEA is responsible in accordance with state or federal laws and regulations.
- Selecting, compensating, and determining the duties of the special education teachers, instructional aides, and other personnel as required to conduct the programs and services specified in the local plan, and in compliance with state and federal mandates.
- Operating all special education programs and services in accordance with state and federal laws and regulations, and in conformance with the local plan.
- Organizing and administering the activities of the IEP teams, including the selection of the LEA staff and who will serve as members of the IEP team in conformance with Education Code Section 56341 and in compliance with the local plan.
- Providing facilities as required to house the programs conducted by the LEA.
 - Providing facilities as agreed upon to house programs and services requested through the governance structure and agreed to by the County Office of Education on LEA school sites; including providing staff of the County Office of Education equal access to internet connectivity, wireless access, and classroom telephones for the program as is provided to other classrooms on the school site, participation, as appropriate in site based activities, and ensuring County Office of Education staff are afforded the same protections and notification of any emergency situations on the school site;
- Providing for the acquisition and distribution of supplies and equipment for the programs conducted by the LEA.
- Providing and/or arranging for such transportation services as may be required to provide the special education programs specified that are conducted by the LEA.
- Cooperating in the provision of curricula for the classes and programs operated by the RLA.
- Cooperating in the evaluation of the programs as specified in the local plan, with the RLA.
- Cooperating in the development of the procedures and methods for communicating with the parents and/or legal guardians of the individuals served in conformance with the provisions of the local plan with the RLA.
- Providing for the continuous review of placements and the assessment procedures employed to ensure their effectiveness and applicability and ensure the continued implementation and compliance with eligibility criteria.
- Providing for the inclusion of individuals educated under the local plan into the general school programs and evaluating the results of such inclusion according to specifications of the Local

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Plan.

- Conducting the review of individual placements requested by the parents and/or legal guardians of the individual in accordance with the local plan.
- Collecting and completing state and federal report requirements, including California Longitudinal Pupil Achievement Data System (CALPADS reports and compliance reviews), and reports on student enrollment, program expenditures, and program evaluation.
- Responding to compliance and due process complaints and implementing the decisions of compliance investigations or due process hearings.
- Utilizing the same data management information system, forms, procedures, and guidelines as all other districts within the SELPA.
- Participating in state/district-wide assessments.
- Designating a person to represent the LEA on the Special Education Professional Learning Committee to support the implementation of the local plan and provide input for changes and/or modifications to the SELPA Superintendents' Council.
- Designating a representative for the LEA to serve on the CAC, in accordance with Education Code Sections 56192-56193 and pursuant to the procedures established in the local plan.
- Designating the LEA Superintendent to represent the LEA on the SELPA Superintendents' Council to supervise and direct the implementation of the local plan.
- Receiving special education funding in accordance with the Allocation and Budget Plan and in accordance with the funding generated by the specific LEA computation completed, for programs maintained by the LEA.

In addition to the responsibilities outlined for the SELPA, the RLA/AU, and the LEAs/Districts of Residence participating in the Local Plan, an Agreement for Participation has been approved and set forth historically for the El Dorado County SELPA. In the 2021 local plan, the Agreement for Participation is cited, however, was not specifically included in the Local Plan document. To avoid any confusion for the future, the sections of the Participation Agreement have been incorporated into the Local Plan. The Provisions for the Agreement are also set forth as follows, and alleviate the issue of maintaining a separate Participation Agreement:

Provisions of the Participation Agreement

Each LEA shall have sole autonomy, full authority and responsibility for the operation and management of their respective programs and services, including but not limited to: employment, position classification, and supervision of their staff; engaging in any form of negotiations with employee associations; and managerial prerogatives for the LEA operations, without infringement by any other participating LEA, in accordance with state and federal laws

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and regulations, and as set forth in the Local Plan.

The LEAs and the RLA in the El Dorado County SELPA shall continue to manage and operate programs in their respective units. Whenever necessary, they will make every effort to make their programs available to students living outside of the LEA, while maintaining direct responsibility for the operation of those programs.

The SELPA Superintendents' Council shall have the responsibility and right to monitor and correct any special education matter which affects the entire SELPA. The SELPA staff, in coordination with the RLA, shall be responsible for coordinating and informing the governance structure on any such matter.

The LEAs and the RLA will maintain responsibility for program administration for the services they provide. All administrative requirements that govern that unit will be in effect regarding special education services. The Superintendent and/or Administrators of Special Education in each LEA and in the RLA will be responsible for the daily operation of their respective programs.

The student program placement will remain the responsibility of the respective LEA and the RLA. Student admission and transfer will be regulated through respective LEA and county board policies and respective LEA and county procedures established in accordance with the identification, assessment, instructional planning, and placement set forth in the Local Plan. The LEA of residence for each pupil shall approve a placement in any other agency. Each agency of service shall have the right to determine if the agency can provide a free, appropriate public education for the pupil.

The activities of the special education staff will be the responsibility of the respective LEA or RLA. The procedures that are operable for personnel evaluation in each unit shall continue to be utilized. All units shall recruit, interview, and hire special education staff as needed to provide continuity and service to their students with disabilities.

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: [EC 56205(a)(12)(D)(ii)(I)]

In accordance with Ed. Code 56205(a)(D)(ii)(I) the RLA/AU is responsible for the hiring, supervision, and discipline of the administrator of the Special Education Local Plan Area and staff employed by the administrative unit (El Dorado County Superintendent of Schools and the County Office of Education) in support of the Local Plan.

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b. The local method used to distribute federal and state funds to the SELPA RLA/AU and to LEAs within the SELPA: [EC 56205(a)12(D) (ii)(II); EC 56195.7(i)]

Pursuant to Education Code Section 56030, the RLA/AU shall receive and distribute regionalized services funds, provide administrative support, and coordinate the implementation of the El Dorado County Local Plan for Special Education in school districts in the County specified in the Local Plan and approved by the State Board of Education.

The Allocation Plan details the distribution of state and federal special education funds and documents cost-sharing agreements. The El Dorado County SELPA Allocation Plan determines how revenue allocated to the SELPA will be distributed to its member LEAs. The document details which funding sources will be pooled, shared, or distributed to member LEAs. These decisions have been agreed upon by member LEAs according to the governance structure and have been the result of meaningful discussions and considerations of potential impacts on students, families, and staff throughout the SELPA by the SELPA Superintendents' Council. As noted in the Allocation Plan, in accordance with the 2023 Budget Trailer Bill, the El Dorado County SELPA allocates the same amount of the special education funded base grant, including state aid and property taxes, as was allocated in the prior year to member LEAs, adjusted for COLA and ADA changes. Agreed upon expenditures, including pooled, shared and fee for service expenditures that are approved through the Allocation Plan for the SELPA, will be treated as deductions from the allocations to member LEAs, and as such a net transfer of funds can be made for ease of distribution.

c. The operation of special education programs: [EC 56205(a)(12)(D)(ii)(III)]

The LEA of residence shall be responsible for providing special education programs and/or services to each individual with exceptional needs residing within district boundaries and/or deemed as meeting "residency criteria," under state and/or federal mandates. The LEA of residence may utilize any of the following options, in order to develop or determine an appropriate public education program for a special education pupil and in accordance with the least restrictive environment mandate.

- Remain in regular education program with supportive assistance.
- Placement in a district-operated special education program and/or service.
- Referral and consideration for placement in a County Office of Education program and/or service.
- Referral and consideration for placement in another district-operated special education program and/or service.
- Referral and consideration for placement in a public agency special education program and/or

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service, other than an educational agency.

- Referral and consideration for placement in a nonpublic, nonsectarian school and/or agency for special education program and/or service.
- Referral and consideration for diagnostic services and/or placement in a state school.

In accordance with the local plan, the SELPA Administrator may aid the LEA of residence in the discharge of the responsibility delineated above.

Students enrolled in charter schools that are deemed schools of LEAs that are members of the El Dorado County SELPA or charter schools that have been accepted as LEAs of the El Dorado County SELPA are to be considered for special education services in a similar manner to students enrolled in other public schools within the SELPA. Students enrolled in charter schools that have been accepted as LEAs in SELPAs other than the El Dorado County SELPA shall be the responsibility of that charter school and the SELPA of which it is a member. Funding for special education services, participation in the governance structure and responsibility for provision of services shall be based on the categorization of the individual charter school.

Policies and procedures relating to Charter Schools are to be developed cooperatively with input from charter schools within the SELPA.

A charter school that has been deemed an LEA by the El Dorado County SELPA may purchase special education services from the SELPA, County Office of Education or any other appropriate source in order to provide the full continuum of placement options to students with disabilities, in the same manner as any other LEA within the SELPA.

While the County Office of Education and school districts within the SELPA provide services to all students whose parents and/or legal guardians reside within the geographic boundaries of the SELPA, services to students whose parents and/or legal guardians reside outside the SELPA's geographic area, or where the charter school has been deemed an LEA and is a member of a SELPA other than the El Dorado County SELPA, shall be individually negotiated, with the appropriate LEA.

The County Office of Education and LEAs within the SELPA retain the right to bill the Charter School for services provided to students attending charter schools whose parents and/or legal guardians reside outside the SELPA.

Charter schools chartered by entities outside of El Dorado County, serving students who reside within the SELPA, may not access any program or services without specific written agreement between the charter school and the entity providing the service. Such services are not limited to educational services and may include extracurricular activities and programs.

The SELPA Allocation Plan, approved by the SELPA Superintendents' Council shall be the governing language regarding financial matters and shall take precedence over any conflicting

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d. Monitoring the appropriate use of federal, state, and local funds allocated for special education programs: [EC 56205(a)(12)(D)(ii)(IV)]

The El Dorado County Office of Education is the Responsible Local Agency/Administrative Unit (RLA/AU) for the SELPA. Pursuant to Education Code Section 56030, the RLA/AU shall receive and distribute regionalized services funds, provide administrative support, and coordinate the implementation of the El Dorado County Local Plan for Special Education and the Superintendents' Council approved Allocation Plan. The RLA/AU shall perform such services and functions required to accomplish the goals set forth in the plans, including development of the Annual Service and Budget Plans.

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: [EC 56206]

Specialized equipment and services are provided at the school site associated with the LEA, where the Individualized Education Program (IEP) team has determined provides the student a free and appropriate public education in the least restrictive environment.

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 (If applicable. Leave blank if not applicable); the document title; and the physical location where the policy can be found.

1. Free Appropriate Public Education: 20 USC Section 1412(a)(1); EC 56205(a)(1)

Policy/Procedure Number:

Document Title:

Document Location:

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"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); EC 56205(a)(2)

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

3. Child Find: 20 USC Section 1412(a)(3); EC 56205(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

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**4. Individualized Education Program (IEP) and Individualized Family Service Plan (IFSP):
20 USC Section 1412(a)(4); EC 56205(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 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); EC 56205(a)(5)

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

6. Procedural Safeguards: 20 USC Section 1412(a)(6); EC 56205(a)(6)

Policy/Procedure Number:

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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); EC 56205(a)(7)

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

8. Confidentiality: 20 USC Section 1412(a)(8); EC 56205(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

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9. Part C to Part B Transition: 20 USC Section 1412(a)(9); EC 56205(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); EC 56205(a)(10)

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

11. Local Compliance Assurances: 20 USC Section 1412(a)(11); EC 56205(a)(11)

Policy/Procedure Number:

Document Title:

Document Location:

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"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); EC 56205(a)(12)(D)(iii)

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); EC 56205(a)(12)

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

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14. Personnel Qualifications; EC 56205(a)(13)

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); EC 56205(a)(14)

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); EC 56205(a)(15)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that all students with disabilities shall participate in state and district-wide assessment programs described in 20 USC Subsection 6311. The IEP team

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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); EC 56205(a)(16)

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); EC 56205(a)(17)

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); EC 56205(a)(18)

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); EC 56205(a)(19)

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); EC 56205(a)(20)

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); EC 56205(a)(21)

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Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

23. Prohibition on Mandatory Medicine: 20 USC Section 1412(a)(25); EC 56205(a)(22)

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 respective roles of the RLA/AU, the SELPA administrator, and the individual LEAs associated with the SELPA. Information provided should include the document title and the location (e.g., SELPA office) for each function:"

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

Document Title:

Document Location:

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Description:

The El Dorado County SELPA desires to provide a free and appropriate public education (FAPE) to all school aged K-12 individuals with disabilities, who are enrolled in the member districts, including children who have been suspended or expelled or placed by the member districts in a nonpublic school or agency services. “The governing board for each school district and the County Board of Education approves the Agreement for Participation and the Local Plan for Special Education. As described within those documents, the Boards of Education delegate the administrative policy-making process and procedures for carrying out that responsibility to the governance structure of the SELPA.”

Students shall be referred for special education instruction and services only after the resources of the regular education program have been considered, and where appropriate, utilized. (Education Code 56303)

In order to meet the needs of individuals with disabilities and employ staff with adequate expertise for this purpose, each district participates as a member of the El Dorado County Special Education Local Plan Area (SELPA), with the exception of Lake Tahoe Unified School District. That district participates with the Tahoe-Alpine SELPA for purposes of Special Education.

The Superintendent or designee of each district shall extend each district's full cooperation to the SELPA. The policies and procedures of the SELPA shall be applied as policies and regulations to all participating districts.

The special education local plan area shall administer a local plan and administer the allocation of funds. (Education Code 56195)

2. Coordinated system of identification and assessment:

Document Title:

Document Location:

A student shall be referred for special educational instruction and services only after the resources of the regular education program have been considered and used where appropriate. (Ed. Code § 56303.) The LEA Superintendent or designee shall follow SELPA procedures providing that parents/guardians, teachers, appropriate professionals, and others may refer an individual for assessment for special education services. Identification procedures shall be coordinated with school site procedures for referral of students with needs that cannot be met with modifications to the regular instructional program. (Ed. Code § 56302).

The LEA Superintendent or designee shall notify parents/guardians in writing of their rights related to identification, referral, assessment, instructional planning, implementation, and review, including the SELPA's procedures for initiating a referral for an initial assessment to identify individuals who need special education services. (Ed. Code § 56301)

A district shall not determine that a student is eligible for special education if the dominant factor for finding eligibility is lack of appropriate instruction in reading, lack of instruction in mathematics, or limited English proficiency. (20 U.S.C. § 1414(b)(5); Ed. Code, § 56329, subd. (a)(2).)

All referrals for special education and related services from school staff shall include a brief reason for the referral and description of the regular program resources that were considered and/or modified for use with the student, and their effect. (5 CCR § 3021.)

Within 15 days of a referral for initial assessment, the district shall provide student's parent/guardian with a notice of procedural safeguards and a written proposed assessment plan. The 15-day period may be extended if the parent/guardian agrees in writing to an extension. If a district chooses to agree to an extension it should be known that they may be found in Data Identified Non-Compliance (DINC) with the California Department of Education. The 15-day period does not include days between the student's regular school session or term, or days of school vacation in excess of five school days from the date of receipt of the referral.

The proposed assessment plan shall meet all of the following requirements: (Education Code 56321). When assessing students, staff shall use appropriate tests to identify specific information about the individual student's abilities. (Ed. Code § 56320.)

1. Be in a language easily understood by the general public
2. Be provided in the native language of the parent/guardian or other mode of communication used by the parent/guardian unless it is clearly not feasible
3. Explain the types of assessment to be conducted
4. State that no individualized education program (IEP) will result from the assessment without parent/guardian consent

Upon receiving the proposed assessment plan, the parent/guardian shall have 15 days to decide whether or not to consent to the initial assessment. The assessment may begin as soon as informed parental consent is received by the respective district. The member districts shall not interpret parent/guardian consent for initial assessment as consent for initial placement or initial provision of special education services. (Education Code 56321; 34 CFR 300.505)

If a parent/guardian refuses to consent to the initial evaluation or fails to respond

to the request to provide consent, the member district may pursue an evaluation by utilizing the mediation and due process procedures found at 20 USC § 1415 and in accordance with Education Code, sections 56501, subd. (a) (3), and 56506, subd. (e). (See BP/AR 6159.1 - Procedural Safeguards and Complaints for Special Education.) In the event that authorized parent does not consent to an initial evaluation, the member districts shall not provide special education services and shall not be considered in violation of the requirement to provide FAPE. In addition, the district is not required to convene an IEP team meeting or to develop an IEP for that child. (20 USC § 1414(a)(1).)

Informed parental consent means that the parent/guardian:

1. Has been fully informed of all information relevant to the activity for which consent is sought, in his/her native language or other mode of communication;
2. Understands and agrees, in writing, to the assessment;
3. Understands that the granting of consent is voluntary on his/her part and may be revoked at any time.

(34 CFR § 300.500)

If the student is a ward of the state and is not residing with his/her parents/guardians, the district shall make reasonable efforts to obtain informed consent from the parent/guardian as defined in 20 USC, section 1401 for an initial evaluation to determine whether the student is a student with a disability. (20 USC § 1414(a)(1).)

The district shall not be required to obtain informed consent from the parent/guardian of a student for an initial evaluation to determine whether the student is a student with a disability if any of the following situations exists:

1. Despite reasonable efforts to do so, the district cannot discover the whereabouts of the parent/guardian of the student.
2. The rights of the parent/guardian of the student have been terminated in accordance with California law.

The rights of the parent/guardian to make educational decisions have been subrogated by a judge in accordance with California law and consent for an initial evaluation has been given by an individual appointed by the judge to represent the student.

(Education Code 56301; 20 USC 1414(a)(1))

Description:

1. As part of the assessment plan, the parent/guardian shall receive written notice that: (Upon completion of the administration of tests and other assessment materials, an IEP team meeting that includes the parent/guardian or his/her representative shall be scheduled pursuant to Education Code, section 56341. At this meeting, the team shall determine whether or not the student is a student with disabilities as defined in Education Code, section, 56026 and shall discuss the assessment, the educational

recommendations, and the reasons for these recommendations. A copy of the assessment report and the documentation of determination of eligibility shall be given to the parent/guardian.

2. If the parent/guardian disagrees with an assessment obtained by the district the parent/guardian has the right to obtain, at public expense, one independent educational evaluation of the student from qualified specialists, in accordance with 34 CFR § 300.502.

If the district observed the student in conducting its assessment, or if its assessment procedures make it permissible to have in-class observation of a student, an equivalent opportunity shall apply to the independent educational evaluation. This equivalent opportunity shall apply to the student's current placement and setting as well as observation of the district's proposed placement and setting, regardless of whether the independent educational evaluation is initiated before or after the filing of a due process hearing proceeding.

3. The district may initiate a due process hearing pursuant to Education Code 56500-56508 to show that its assessment is appropriate. If the final decision resulting from the due process hearing is that the assessment is appropriate, the parent/guardian maintains the right for an independent educational assessment but not at public expense.

If the parent/guardian obtains an independent educational assessment at private expense, the results of the assessment shall be considered by the district with respect to the provision of a free appropriate public education to the student, and may be presented as evidence at a due process hearing regarding the student.

4. If a parent/guardian proposes a publicly financed placement of the student in a nonpublic school, the district shall have an opportunity to observe the proposed placement and, if the student has already been unilaterally placed in the nonpublic school by the parent/guardian, the district shall have the opportunity to observe the student in the proposed placement. Any such observation shall only be of the student who is the subject of the observation and may not include the observation or assessment of any other student in the proposed placement unless that student's parent/guardian consents to the observation or assessment. The results of any observation or assessment of another student in violation of Education Code, section 56329(d) shall be inadmissible in any due process or judicial proceeding regarding the free appropriate public education of that other student.

(Ed. Code § 56329; 34 CFR § 300.502)

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An IEP required as a result of an assessment shall be developed within a total time not to exceed 60 days from the date of the receipt of the parent/guardian's consent for assessment, unless the parent/guardian agrees to an extension in writing. Should a district and parent make an agreement to extend a time line, it should be known that not meeting the 60 day time line will put the district at risk of Data Informed Noncompliance (DINC) with the California Department of Education. Should a district be found in DINC, there could be correlated corrective actions as deemed by the California Department of Education. The 60-day period does not include any days between the student's regular school sessions/terms, or days of school vacation in excess of five school days, (Ed. Code § 56043)

However, when a referral is made within 30 days of the end of the regular school year, an IEP required as a result of an assessment shall be developed within 30 days after the commencement of the subsequent regular school year as determined by each district's school calendar. In the case of school vacations, the 60-day time shall recommence on the date that school reconvenes. (Ed. Code § 56344 (a).)

A meeting to develop an initial IEP for the pupil shall be conducted within 30 days of a determination that the pupil needs special education and related services. (Ed. Code §§ 56043(f)(2); 56344 (a).)

Before entering kindergarten or first grade, children with disabilities who are in a preschool program shall be reassessed to determine if they still need special education and services. The IEP teams shall identify a means of monitoring the continued success of children who are determined to be eligible for less intensive special education programs to ensure that gains made are not lost by a rapid removal of individualized programs and supports for these individuals. (Ed, Code § 56445)

3. Coordinated system of procedural safeguards:

Document Title: Procedural Safeguards and Complaints for Special Education

Document Location: Policy and Procedure Manual available at the SELPA Office and each LEA District Office

Under California law, due process hearings pursuant to the IDEA (20 USC 1400 et seq.) are held only at the state level. Rights and procedures for due process are set forth in Education Code §§ 56501 et. seq. and 5 CCR §§ 3080 et. seq.. When California law provides greater protection to students and

parents, it supersedes federal law.

Due process hearing rights extend to the student only if he/she is an emancipated student or a ward or dependent of the court with no available parent or surrogate parent. (Ed. Code § 56501; see AR 6159.3 - Appointment of Surrogate Parent for Special Education Students.)

Informal Resolution Process/Pre-Hearing Mediation Conference

Before requesting a due process hearing, the LEA Superintendent or designee and a parent/guardian may agree to meet informally to resolve any dispute relating to the identification, assessment or education and placement of a student with disabilities. The LEA Superintendent or designee shall have the authority to resolve the dispute through an informal alternative dispute resolution (“ADR”) process. (Ed. Code § 56502)

In addition, either party may file a request with the Superintendent of Public Instruction for a Pre-hearing Mediation Conference (commonly referred to as “mediation only”) to be conducted by a person designated by the California Department of Education. Based on the Pre-Hearing Mediation Conference, the LEA Superintendent or designee may resolve the issue(s) in any manner that is consistent with state and federal law and is to the satisfaction of both parties. (Education Code 56500.3)

It is recommended that attorneys do not attend the informal resolution session or the Prehearing Mediation Conference. Attorneys may attend, or otherwise participate in, only those mediation conferences that are scheduled pursuant to a request for a due process hearing. (Ed. Code §§ 56500.3, 56501)

If the parties do not resolve their dispute through informal resolution session and/or a Pre-Hearing Mediation Conference, either party may file a request for a due process hearing.

Due Process Complaint Notice and Hearing Procedures

Due process hearing procedures may be initiated by a parent/guardian, the LEA, and/or a student who is emancipated or a ward or dependent of the court. under the following circumstances:

1. There is a proposal to initiate or change the identification, assessment or educational placement of the student or the provision of a free, appropriate public education to the student;
2. There is a refusal to initiate or change the identification, assessment or educational placement of the student or the provision of a free, appropriate public education to the student;
3. The parent/guardian refuses to consent to an assessment of his/her child; and/or

There is a disagreement between a parent/guardian and the district regarding the availability of a program appropriate for the student, including the question of financial responsibility.
(20 USC § 1415(b); Education Code 56501)

Prior to initiating a due process hearing, the party requesting the hearing, or the party's attorney, must provide the opposing party a confidential due process complaint notice specifying:

1. The student's name
2. The student's address or, in the case of a student identified as homeless pursuant to the McKinney-Vento Homeless Assistance Act (42 USC 11434a(2)), any available contact information for that student;
3. The name of the school the student attends;
4. A description of the nature of the student's problem relating to the proposed or refused initiation or change, including facts relating to the problem;
5. A proposed resolution to the problem to the extent known and available to the complaining party at the time.

(20 USC § 1415(b); 34 CFR § 300.508 (b).)

Resolution Session

When a parent seeks to initiate a request for due process, before their request is filed, they must provide the district with the opportunity to resolve the matter by convening a resolution session, which is a meeting between the parents and the relevant members of the IEP team who have specific knowledge of the facts identified in the due process hearing request. (20 USC § 1415[f][1][B]; 34 CFR § 300.510)

The district has fifteen (15) days from the date it received the parents' due process hearing request to convene the resolution session. The sessions shall include a representative of the school district who has decision-making authority and not include an attorney of the school district unless the parent is accompanied by an attorney. The parent of the child may discuss the due process hearing issue and the facts that form the basis of the due process hearing request.

The resolution session is not required if the parent and the school district agree in writing to waive the meeting. If the school district has not resolved the due process hearing issue within thirty (30) days, the due process hearing may occur. If a resolution is reached, the parties shall execute a legally binding agreement. (20 USC § 1415[f][1][B]; 34 CFR § 300.51)

A due process complaint must be filed within two years of the date that the parent/guardian or district knew or should have known about the situation that forms the basis of the complaint.

Description:

Response to the Due Process Hearing Request

If the district has not sent a prior written notice to the parent/guardian regarding the subject matter contained in the parent/guardian's due process complaint notice, the district shall send a response to the parent/guardian within 10 days of receipt of the complaint specifying:

1. An explanation of why the district proposed or refused to take the action raised in the complaint
2. A description of other options that the individualized education program (IEP) team considered and the reasons that those options were rejected
3. A description of each evaluation procedure, assessment, record, or report the district used as the basis for the proposed or refused action
4. A description of the factors that are relevant to the district's proposal or refusal.

(20 USC 1415(c)(1))

If the district sent prior written notice to the parent/guardian regarding the subject matter of the parent/guardian's due process complaint, the district may, within 10 days of receipt, send a response specifically addressing the issues in the complaint. (20 USC § 1415(c)(1))

Parties requesting a due process hearing shall file their request with the Superintendent of Public Instruction or designated contracted agency and give a copy of the request, at the same time, to the other party. (Ed. Code §56502)

Prior Written Notice

The LEA Superintendent or designee shall send to parents/guardians of any student with a disability a prior written notice within a reasonable time before:

1. The district initially refers the student for assessment
2. The district proposes to initiate or change the student's identification, evaluation, educational placement or the provision of a free, appropriate public education
3. The district refuses to initiate or change the identification, evaluation or educational placement of the student or the provision of a free and appropriate public education
4. The student graduates from high school with a regular diploma

(Ed. Code §§ 56500.4, 56500.5; 20 USC § 1415(c); 34 CFR § 300.503)

The prior written notice shall include:

1. A description of the action proposed or refused by the district;

2. An explanation as to why the district proposes or refuses to take the action;
3. A description of any other options that the IEP team considered and why those options were rejected;
4. A description of each evaluation procedure, test, record or report the district used as a basis for the proposed or refused action;
5. A description of any other factors relevant to the district's proposal or refusal;
6. A statement that the parents/guardians of the student have protection under procedural safeguards and, if this notice is not an initial referral for evaluation, the means by which a copy of the description of procedural safeguards can be obtained; and
7. Any resources for parents/guardians to obtain assistance in understanding these provisions

(20 USC § 1415(c); 34 CFR § 300.503)

Students with disabilities and their parents/guardians shall be provided written notice of their rights in language easily understood by the general public and in the primary language of the parent/guardian or other mode of communication used by the parent/guardian, unless to do so is clearly not feasible. The notice shall include, but not be limited to, those rights set forth in Education Code, section 56341. (Ed. Code §§ 56341, 56506; 34 CFR § 300.503)

If the native language or other mode of communication of the parent/guardian is not a written language, the district shall take steps to ensure that:

1. The notice is translated orally or by other means to the parent/guardian in his/her native language or other mode of communication
2. The parent/guardian understands the contents of the notice
3. There is written evidence that items #1 and #2 have been satisfied

(34 CFR § 300.503)

Notice of Procedural Safeguards

A notice of procedural safeguards shall be made available to parents/guardians of students with a disability once a year and upon:

1. Initial referral for evaluation
2. Each notification of an IEP meeting
3. Reevaluation of the student
4. Registration of a complaint
5. Filing for a pre-hearing mediation conference or a due process hearing

(Ed. Code § 56301; 20 USC 1415(d)(1))

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The notice of procedural safeguards shall include information on the procedures for requesting an informal meeting, pre-hearing mediation conference, mediation conference, or due process hearing; the timelines for completing each process; whether the process is optional; the type of representative who may be invited to participate; and the right of the parent/guardian and/or the district to electronically record the proceedings of IEP meetings in accordance with Education Code 56341. A copy of this notice shall be attached to the student's assessment plan and referred to at each IEP meeting. (20 USC 1415(d)(2); Ed. Code §§ 56321, 56321.5)

In addition, the notice of procedural safeguards shall include a full explanation of the procedural safeguards relating to independent educational evaluation; prior written notice; parental consent; access to educational records; opportunity to present complaints to initiate due process hearings; the student's placement while due process proceedings are pending; procedures for students who are subject to placement in an interim alternative educational setting; requirements for unilateral placement by parent/guardians of students in private schools at public expense. (20 USC 1415(d)(2); 34 CFR 300.504)

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

Document Title:

Document Location:

A. RATIONALE

The California Reading Initiative is intended for all students. Reading proficiency is an important goal for virtually all students who receive special education services. It is basic to ongoing school success and essential for successful participation in society. Without reading proficiency, students are excluded from full participation and opportunity to achieve academic success in school.

B. POLICY STATEMENT

In order to improve the educational results for students with disabilities, the member districts in the El Dorado County SELPA ensure that all students

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who require special education will participate in the California Reading Initiative, just as do all other students in the El Dorado County districts. The SELPA and member districts will follow the Core Messages developed by the *California Special Education Reading Task Force. In order to facilitate that effort, the member districts assure that special education instructional personnel will participate in staff development inservice opportunities in the area of literacy, including:

- a. information about current literacy and learning research;
- b. state-adopted student content standards and frameworks;
- c. research-based instructional strategies for teaching reading to a wide range of diverse learners; and
- d. the California Reading Initiative and Special Education Reading Task Force Core Messages.

Each of the districts will include special education staff in their curriculum materials selection process, in order to support alignment with State standards. Each will also include special education staff as appropriate in all staff development on phonemics and phonics, as well as in any additional state or regional training based on new legislation, e.g., the California Reading and Literature Subject Matter Project, the rollouts on the frameworks, and AB466 training. The goals of the districts are to increase the participation of students with disabilities in statewide student assessments, to increase the percentage of children with disabilities who are literate, and to assure that students with disabilities attain higher standards in reading.

In order to reach these goals, we assure that students with disabilities will have full access to:

- 1. all required core curriculum including state-adopted core curriculum textbooks and supplementary textbooks; and
- 2. instructional materials and support.

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*California Reading Initiative and Special Education in California
<http://www.calstat.org/readingmessages.html>

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

Document Title:

Document Location:

Description:

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

Document Title:

Document Location:

The State has in place a system for review of the special education programs in the districts. It is the responsibility of the SELPA to support the delivery of effective programs and services in its districts, to support a continuum of appropriate service options, to improve the quality of the programs offered, and to monitor them and participate in review processes, including the Quality Assurance Process, the Procedural Safeguards and Complaints processes and mediation and due process procedures. The El Dorado County SELPA endeavors first to provide adequate information, resources and support to all its member districts, so that they may deliver compliant, quality services. Further, SELPA

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7. Coordinated system of data collection and management:

Document Title:

Document Location:

Description:

8. Coordination of interagency agreements:

Document Title:

Document Location:

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receive services from both the Regional Center and LEA;

6. Procedures for the timely exchange of information between Regional Centers and LEAs;
7. Mechanisms for ensuring the availability of contacts at Regional Centers and LEAs at all times during the year;
8. Procedures for interagency individualized family service plan (IFSP) development when infants and toddlers may be eligible for early intervention services from the Regional Center and the LEA or other state or local programs or services;
9. Procedures to ensure the provision of services during periods of school vacations when services are required on the IFSP;
10. Transition planning procedures which begin at least six months prior to a toddler's third birthday pursuant to EC Section 52112 of these regulations;
11. Procedures for resolving disputes between regional centers and LEAs;
12. Procedures for the training and assignment of surrogate parents; and
13. Procedures for accepting transfers of infants or toddlers with existing IFSPs.

Local interagency agreements must be dated and signed by representatives of the Regional Center and LEA. Interagency agreements must be reviewed by both parties annually, revised as necessary, dated, and signed by both parties as needed.

9. Coordination of services to medical facilities:

Document Title:

Document Location:

Description:

Special education means specially designed instruction, at no cost to the parent/guardians, to meet the unique needs of individuals with disabilities, whose educational needs cannot be met with modification of the regular instruction program. It also includes related services, provided at no cost to the parent/guardian that may be needed to assist these individuals to benefit from specially designed instruction. Special education provides a full continuum of program options, including instruction conducted in the classroom, in the home, in hospitals and institutions, and in other settings; and instruction in physical

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education, to meet the educational and service needs of individuals with exceptional needs in the least restrictive environment. (Education Code 56031)

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

Document Title:

Document Location:

Description:

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

Document Title:

Document Location:

Compliance

The El Dorado County SELPA (SELPA) shall meet federal MOE regulations that require the use of federal funds to pay the excess costs of providing special education and related services to children with disabilities and to supplement and not supplant state and local funds for special education (34 CFR 300.202-300.205).

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The SELPA Administrative Unit (AU), as the grantee of federal funds from the California Department of Education (CDE), shall distribute all or part of the federal funds received to participating eligible local education agencies (LEAs) within the SELPA through a sub-granting process.

LEAs will annually compile, and submit to the SELPA, budget and expenditure information required to conduct the federally-required calculations and compliance testing, determining the status of MOE compliance for the SELPA as a whole and for each LEA.

Eligibility

The state has directed the SELPA, as the conduit for IDEA Part B grant funds, to be responsible for determining eligibility of an LEA to retain funds received and to receive future funds.

To fulfill these requirements, IDEA establishes four annual compliance tests on two different data sets.

The two data sets are:

1. Comparison of the grant year budget to preceding year actual expenditures.
2. Comparison of Prior Year actuals to second prior year actuals, pursuant to the subsequent year rule.

Subsequent Year Rule

When an LEA fails to meet any of the four required MOE tests on either of the two data sets in a year, the LEA is required in subsequent fiscal years to maintain effort at the level prior to the failure. Thus, the LEA must calculate its level of effort based on the most recent fiscal year in which the MOE test was passed.

MOE standards and test procedures are provided by the CDE based on federal requirements and are included as an AR to this policy.

12. Fiscal and logistical support of the CAC:

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Document Location:

Description:

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

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Document Title:

Document Location:

Description:

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

Document Title:

Document Location:

Description:

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15. Assurance of full educational opportunity:

Document Title:

Document Location:

Description:

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.

Document Title:

Document Location:

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the governing boards of the member LEAs. It consists of the SELPA Superintendents' Council, the SELPA Executive Committee, and the Community Advisory Committee. The SELPA Administrator may convene additional committees. The SELPA Administrator is responsible for the coordination of the SELPA and the implementation of the local plan.

ADMINISTRATIVE UNIT

Pursuant to the provisions of Education Code Section 56030 et seq., the Administrative Unit (AU) shall receive and distribute regionalized service funds, provide administrative support and coordinate the implementation of the El Dorado County Local Plan for Special Education in all member districts located within the El Dorado County SELPA. The AU shall perform such services and functions required to accomplish the goals set forth in the plan.

California Education Code Section 56200(c)(2) requires that the Local Plan, “specify the responsibilities of each participating county office and district governing board in the policy-making process, the responsibilities of the superintendent of each participating district and county in the implementation of the plan, and the responsibilities of district and county administrators of special education in coordinating the administration of the plan.” In accordance with this provision, the El Dorado County SELPA has developed the following governance structure and policy development and approval process:

RESPONSIBILITIES OF EACH GOVERNING BOARD IN THE POLICY-MAKING PROCESS AND PROCEDURES FOR CARRYING OUT THE RESPONSIBILITY

The governing board for each district and the County Board of Education approves the Agreement for Participation and the Local Plan for Special Education. As described within those documents, the Boards of Education delegate the administrative policy-making process and procedures for carrying out that responsibility to the governance structure of the SELPA.

SELPA SUPERINTENDENTS' COUNCIL

The SELPA Superintendents' Council (SSC) is an administrative body that shall consist of a superintendent from each of the participating LEAs and the superintendent of the AU or a designee, each of whom shall provide a liaison

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function between the LEA governing board and the SSC. LEA superintendents exercise their authority and responsibilities in accordance with policies and procedures of their local governing boards and within the voting procedures of the SSC. The SSC shall consider recommendations submitted by the SELPA Administrator and take action as appropriate. The SELPA will serve as staff to the SSC and will have the responsibility for the coordination and implementation of SSC decisions. The SSC shall have final authority to act upon fiscal and policy recommendations. Effective July 1, 2020, the allotted votes on the SELPA Superintendents' Council shall be as follows:

District Name Votes
 Black Oak Mine Unified 1
 Buckeye Union 1
 Camino Union 1
 El Dorado Union High School District 1
 El Dorado County Office of Education 1
 Gold Oak Union 1
 Gold Trail Union 1
 Indian Diggings 1
 Latrobe 1
 Mother Lode Union 1
 Pioneer Union 1
 Placerville Union 1
 Pollock Pines 1
 Rescue Union 1
 Silver Fork 1
 Total 15

The El Dorado County Office of Education is considered an LEA for all purposes of this agreement except where referred to as the AU.

Representatives of a majority of member LEAs must be present in order to form a quorum and take action on any item. For instance, to form a quorum requires attendance by fifty percent (50%) plus one of the members (8 LEAs). Approval of any action requires a majority vote of the quorum.

The SCC shall adopt a public meeting schedule annually according to Brown Act requirements to receive and take action on information or SELPA recommendations.

SELPA Executive Committee

The SELPA Executive Committee serves as an informal advisory body to the SELPA Administration. The Committee considers and advises the SELPA administration on matters including, but not limited to, program operations, shared risk pool request, strategic planning, procedural matters, and fiscal

considerations. The Committee shall have no continuing subject matter jurisdiction.

The Committee shall be comprised of superintendents representing, One (1) High school Districts, one (1) Unified Districts, and three (3) elementary districts and the County Office of Education. Superintendents on the committee serve as a representative for Local Education Agencies of similar size, and with like interests, in considering and advising matters pertaining to the SELPA.

However, at no time shall an Executive Committee meeting be conducted with a majority of SELPA members. Summaries of the Executive Committee meetings shall be transmitted to the full membership of the SSC.

SPECIAL EDUCATION COMMUNITY ADVISORY COMMITTEE - CAC

Each district shall be entitled to appoint one parent representative, approved by the LEA governing board, to participate in the Special Education Community Advisory Committee to serve staggered terms in accordance with E.C. § 56191 for a period of at least two years. Selected parents will be the parent of a child with a disability. This does not prohibit additional parents from participating in CAC meetings or activities. This group will advise the SELPA Administrator on the implementation of the El Dorado County Local Plan for Special Education in (“Local Plan”).

The Community Advisory Committee shall have the authority and fulfill the responsibilities that are defined for it in the local plan. The responsibilities shall include, but need not be limited to, all the following:

- (a) Advising the policy and administrative entity of the special education local plan area regarding the development, amendment, and review of the local plan. The entity shall review and consider comments from the community advisory committee.
- (b) Recommending annual priorities to be addressed by the plan.
- (c) Assisting in parent education and in recruiting parents and other volunteers who may contribute to the implementation of the plan.
- (d) Encouraging community involvement in the development and review of the local plan.
- (e) Supporting activities on behalf of individuals with exceptional needs.
- (f) Assisting in parent awareness of the importance of regular school attendance.
- (g) Supporting community involvement in the parent advisory committee established pursuant to Section 52063 to encourage the inclusion of

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parents of individuals with exceptional needs to the extent these pupils also fall within one or more of the definitions in Section 42238.01.

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

Document Title:

Document Location:

Description:

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educational opportunity, regardless of the district of residence in the Special Education Local Plan Area.

G. Participate in I.E.P.s at request of Local Education Agency or parent.

H. Assist Local Education Agencies with non-public, non-sectarian and state school placements when requested.

Safeguards for the assurance of appropriate use of regionalized funds are the responsibility of the SELPA Director and as approved by the governance structure. Program Specialist(s) are employed by the RLA and supervised by the SELPA Director.

Special Education Local Plan Area Services

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

Document Title:

Document Location:

Alta California Regional Center (ACRC) is the local regional center and the agency referred to when regional center is noted within the regulation.

IDP is the El Dorado County Office of Education Infant Development Program. IDP provides early start/Early Intervention services to children birth to three in the El Dorado County SELPA on behalf of the LEAs in El Dorado County. Part C (formerly known as Part H) governs the federal "early intervention" program for infants and toddlers, aged birth through two years.

The California Early Intervention Services Act is designed "to provide a statewide system of coordinated, comprehensive, family-centered, multidisciplinary, interagency programs, responsible for providing appropriate early intervention services and support to all eligible infants and toddlers and their families." [California Government Code (Cal. Gov. Code) Sec. 95002.]

All school districts (in El Dorado County IDP) and regional centers in California are responsible for providing early intervention and education services to eligible infants and toddlers younger than 3. The DDS has been designated as lead agency responsible for the administration and coordination of the statewide service delivery system. [Cal. Gov. Code Secs. 95006 & 95007.]

The California Department of Education is responsible for administering services

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and providing educational programs for infants who meet the following criteria:

- (1) Have solely "low incidence" disabilities --conditions occurring in less than 1% of the school population which are solely visual, hearing, or severe orthopedic impairments, or any combination of those conditions;
- (2) Require intensive special education and services.

The local regional center is responsible for providing early intervention services to all other eligible infants, including children who have developmental delays or are at risk of delay. [Cal. Ed. Code Secs. 56026 & 56026.5; Cal. Gov. Code Sec. 95008; Cal. Welfare & Institutions (Welf. & Inst.) Code Sec. 4435; 5 California Code of Regulations (C.C.R.) Sec. 3031.] Having said that, some counties, including El Dorado County are required to operate their programs for infants and toddlers at the same level they did during the 1980 - 81 fiscal year. [Cal. Ed. Code Sec. 56425; Cal. Gov. Code Sec. 95014(c).] This requirement is sometimes referred to as the district's (IDP's) "maintenance of effort" or in SEIS this is noted in services as LEA funded.

Funded Capacity means the number of eligible infants, between 12 and 16 students per instructional unit, that the California Department of Education requires LEAs to serve to maintain funding for their classes/programs/services in a given year pursuant to Education Code section 56728.8 as it read on November 1, 1993.

For infants and toddlers who are eligible to receive services from both a regional center (ACRC) and a local school district (IDP), the regional center is responsible for providing or purchasing appropriate Early Start services that are beyond the responsibilities of the district --but only to the extent these services are required by the federal early intervention law. [Cal. Gov. Code Sec. 95014(c).]

Payor of last resort means the regional center or LEA (IDP) that is required to pay for early intervention services listed on the IFSP when third party payers or other agencies do not have an obligation to pay as required by 34 CFR 303.527.

For services to infants and toddlers who may be eligible for services from both the regional center and school district (IDP). The regional center is the "payer of last resort" and, therefore, ultimately responsible for providing and/or paying [Cal. Gov. Code Sec. 95014(c).]

Preschool Assessment Team (PAT)- The program that completes the part C to part B assessments for children in El Dorado County SELPA on behalf of LEAs who have received Early Intervention services on behalf of the child's district of residence.

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

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questions or concerns to the SELPA governing body or individual administrator:

Document Title:

Document Location:

Description:

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

Document Title:

Document Location:

Description:

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Description:

Instruction for a mediation conference to be conducted by a person under contract with the California Department of Education. Based on the mediation conference, the LEA Superintendent or designee may resolve the issue(s) in a manner that is consistent with state and federal law and is to the satisfaction of both parties. (Education Code 56500.3)

Attorneys may attend or otherwise participate only in those mediation conferences that are scheduled after the filing of a request for due process hearing. (Education Code 56500.3, 56501)

If either of these processes fails to resolve the issue(s), either party may file for a state-level due process hearing.

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:

Document Title:

Document Location:

Description:

It shall be the policy of each member 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.

Each LEA Superintendent or designee shall follow SELPA procedures to determine when an individual is eligible for special education services and shall implement the SELPA procedures for special education program identification, screening, referral, assessment, planning, implementation, review, and triennial assessment. (Education Code § 56301) The district's process shall prevent the inappropriate disproportionate representation by race and ethnicity of students with disabilities.

Any procedures for the identification, evaluation, assessment, and instructional planning for children younger than age three will meet the requirements of

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Education Code, sections 56425 through 56432 and the California Early Intervention Services Act (Gov. Code §§ 95000-95029). The California Department of Education and local education agencies are responsible for providing early intervention services to infants and toddlers who have visual, hearing, or severe orthopedic impairment. The Department of Developmental Services and its regional centers must provide services to all other eligible children in this age group. The law also requires regional centers and local education agencies to coordinate family service plans for infants and toddlers and their families. Education Code, section 56441.11 sets forth eligibility criteria for preschool children ages three to five.

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:

Document Title: Nonpublic, Nonsectarian School and Agency Services for Special Services

Document Location: Policy and Procedure Manual available at the SELPA Office and each LEA District Office

Description:

Contracts with an NPS or NPA shall include an individual services agreement (“ISA”) negotiated for each student. ISAs shall be for the length of time for which NPS and/or NPA services are specified in the student's individualized education program (“IEP”), but not to exceed one year. Changes in educational instruction, services or placement shall be made only on the basis of revisions to the student's IEP. (Ed. Code § 56366.)

The master contract shall specify the general administrative and financial agreements between the NPS or NPA and the member district to provide the special education and designated instruction and services, as well as transportation specified in the student's IEP. The administrative provisions of the master contract shall also include procedures for record keeping and documentation, and the maintenance of school records by the contracting district to ensure that the NPS provides appropriate high school graduation credit to the student. The master contract may allow for partial or full-time attendance at the NPS. (Ed. Code § 56366.)

In order for a member district to contract with an NPS or NPA, the NPS and NPA must be certified as meeting state standards. (Ed. Code § 56366.) A

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master contract may be terminated for cause with 20-days' notice. However, the availability of a public education program initiated during the period of the master contract cannot give cause for termination unless the parent/guardian agrees to transfer the student to the public program.

The master contract shall include a description of the process being utilized by the member district to oversee and evaluate placements in the NPS. This description shall include a method for evaluating whether the student is making appropriate educational progress. (Ed. Code 56366.)

The LEA Superintendent or designee of an elementary district shall notify a high school district of all students placed in NPS or NPA programs prior to the annual review of the IEP for each student who may transfer to the high school district. (5 CCR § 3069.)

When a special education student meets the district requirements for completion of prescribed course of study as designated in the student's IEP, the district which developed the IEP shall award the diploma. (5 CCR § 3070.)

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

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

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

Document Title:

Document Location:

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Description:

The El Dorado County SELPA desires to provide a free and appropriate public education (FAPE) to all school aged K-12 individuals with disabilities, who are enrolled in the member districts, including children who have been suspended or expelled or placed by the member districts in a nonpublic school or agency services.

The SELPA will provide technical support to any LEA identified as the DOR for students age 18 to 21 who are incarcerated in a county jail and remain eligible for special education to assist in meeting their obligation. The SELPA may facilitate collaboration with the jails as requested.