



## Sacramento County SELPA

# Local Plan - Narrative

(a user friendly reference document)

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ARCOHE UNION SCHOOL DISTRICT \* CENTER UNIFIED SCHOOL DISTRICT \*  
ELVERTA JOINT UNION ELEMENTARY SCHOOL DISTRICT \* GALT JOINT UNION HIGH  
SCHOOL DISTRICT \* GALT JOINT UNION ELEMENTARY SCHOOL DISTRICT \*  
NATOMAS CHARTER SCHOOL \* RIVER DELTA UNIFIED SCHOOL DISTRICT \* ROBLA  
SCHOOL DISTRICT \* SACRAMENTO COUNTY OFFICE OF EDUCATION – SPECIALIZED  
PROGRAMS & SERVICE

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## Authority

The Individuals with Disabilities Education Act 20 *United States Code* (20 USC) Section 1400 et seq. and related federal regulations, require each special education local plan area (SELPA) to ensure a continuum of program options are available to meet the needs of students with disabilities for special education and related services.

The California Department of Education (CDE) has established guidelines for the coordinated development and submission of Local Plan components—Section A: Contacts and Certifications, Section B: Governance and Administration, Section D: Annual Budget Plan, Section E: Annual Service Plan, and required Attachments I–VII. Regional SELPAs ensure access to special education and services for all students with disabilities residing within the geographic areas served by each plan. Special Education Local Plan Area General Requirements

- The Local Plan for special education must be developed and updated cooperatively by a committee of representative special and general education teachers and administrators selected by the groups they represent; and with the participation of parent member(s) from the community advisory committee (CAC), or parents selected by the CAC. SELPAs are responsible for making certain there is adequate and effective participation and communication.
- Beginning July 1, 2020, a SELPA must review its Local Plan at least once every three years, and update the plan as needed to ensure information contained in the Governance and Administration section remains relevant and accurate. (*California Education Code [EC] Section 56195.9*)
- Revisions to the Local Plan Governance and Administration, Section B, must be reviewed by the CAC, county office of education (COE), and must be adopted by each local educational agency's (LEAs) governing board prior to being submitted to the CDE for review and consideration for approval (EC Section 56195.1). This requirement will not be construed as a prerequisite for submitting changes to the Annual Budget Plan, Section D, or Annual Service Plan, Section E, which are elements of the Local Plan with annual submission requirements. Contacts and Certifications, Section A, must be completed and signed by the appropriate parties and included in any Local Plan submission.
- The CDE's approval of a Local Plan does not set aside any federal, or state laws or regulations. A SELPA may be required to amend the Local Plan any time a change is deemed necessary due to local changes, new legislative requirements, a new interpretation by the courts, **or an official finding of noncompliance with federal law, state law, or regulations determined by the CDE.** In such cases, a revised Local Plan must be submitted in accordance with CDE guidelines.
- SELPAs must ensure a continuum of special education service options are available to students with special needs.

- A Local Plan **must not** be implemented without the approval of the COE and/or the CDE. If a COE disapproves a Local Plan, a SELPA may file an appeal with the CDE to overrule the COE’s disapproval.

**Section A: Contracts and Certifications**

This section provides contact information and signatures from each LEA Superintendent, the CAC Chairperson, and the County Superintendent of Schools.

**Section B1: Governance & Administration Structure**

The Sacramento County SELPA is a multi-district SELPA comprising eight local education agencies: seven (7) local school districts and the Sacramento County Office of Education. The LEAs are joined together to provide for the coordinated delivery of programs and services to students with special needs. The Sacramento County Office of Education is the designated Responsible Local Agency (RLA) or Administrative Unit (AU) for the Sacramento County SELPA. The Sacramento County Office of Education is considered an LEA for all purposes of this agreement except where referred to as the 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.

Sacramento County SELPA Local Educational Agencies' Total Enrollment & Locations include:

School District	Total Enrollment (as of October, 2022)	County Location
Arcohe Union SD	457 Students	Sacramento
Center Joint Unified SD	4,025 Students	Sacramento & Placer
Elverta Joint SD	283 Students	Sacramento
Galt Joint Union ESD	3,403 Students	Sacramento & San Joaquin
Galt Joint HSD	2,076 Students	Sacramento & San Joaquin
Natomas Charter School	1,817 Students	Sacramento
River Delta Unified SD	1,857 Students	Sacramento, Yolo, & Solano
Robla SD	1,965 Students	Sacramento
Sacramento COE	1,003 Students	Sacramento

Sacramento County SELPA is exclusive of the following single district SELPAs which are also located within Sacramento County: San Juan USD, Sacramento City USD, Elk Grove USD, Folsom Cordova USD, Natomas USD and Twin Rivers USD. Each of these are independent and single-district SELPA's.

The function of the Sacramento County SELPA is to provide a quality educational program appropriate to the needs of each eligible child with a disability, who resides within the Local Plan Area, and to those eligible individuals who are residents of other SELPAs who may need services and who in accordance with the provisions of the annual budget plan of the cooperating Local Plan Area, attend programs in this region.

The governance structure of the SELPA is established by agreement among the governing boards of the member LEAs and consists of the Superintendent's Coordinating Council (SCC), the executive decision-making body; and the Community Advisory Committee (CAC), which serve as an advisory body to the SCC. 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. The SCC, and CAC operate under the requirements of the Ralph M. Brown Act (Brown Act), providing a method by which members of the public may address questions or concerns to the governing body.

### **1. SELPA Superintendents' Coordinating Council (SCC)**

The governing board of the Sacramento County Special Education Local Plan Area is the Superintendent's Coordinating Council (SCC). The SCC consists of seven (7) district superintendents, a Charter School Executive Director, and the County Superintendent. In recognizing the importance of each SCC member role in the SCC, the designation of alternative representatives to the SCC are not permitted. The SCC provides leadership in the development of statements of policies and procedures, goals, priorities, and plans for the comprehensive and systematic provision of special education programs and services and recommending their adoption by participating boards. The SCC makes executive decisions and provides for communication between district superintendents and the Sacramento County Superintendent of Schools. The primary function of the SCC is to promote cooperation and communication among the districts, and the County Office of Education, and to be responsive to any special education concerns, which require an executive decision by the superintendents. The SCC also establishes policy and guidelines in compliance with procedures set forth in this local plan for special education. The regular meetings of the SCC shall be open to the public and provide for community input. Questions or concerns may also be addressed to the SELPA Administrator.

The Superintendents' Coordinating Council (SCC), is composed of a Superintendent or designee representing each of the SELPA LEAs. Each LEA member of the SCC shall be allocated a single vote in voting on motions and/or consensus discussions. With prior written notification to the Chair, Vice Chair, or SELPA Administrator, a Superintendent may participate via telecommunication.

As the representative of the SELPA's Governing Body, the County Superintendent shall be the Chairperson of the SCC. An elected Superintendent from the SCC shall serve as the Vice President and facilitate the meeting agenda. A superintendent is selected as chairperson of the SCC, serving a two-year term, until replaced by vote of the SCC. A vice chairperson is also elected, who serves as chairperson in the event that the elected chairperson is unable to fulfill his/her duties as prescribed in this plan. Agendas for SCC meetings are developed in collaboration between the SELPA Administrator and the SCC chairperson. Each LEA has one vote on the SCC. Actions are approved by a simple majority of those members present.

The SCC will meet up to four times per school year. Workgroup meetings may be held to deepen an understanding of specific SELPA issues such as SELPA Finance/Budget.

The SCC will approve operational decisions in the SELPA such as, but not limited to the following:



1. Review and approve priority modifications of the Local Plan annually and in a full review format triennially to determine any necessary changes.
2. Approve SELPA policies and procedures on behalf of their respective Governing Boards to ensure compliance by LEAs within the Local Plan, as well as State and Federal laws and Regulations. Each member shall assume the responsibility for communication and presentation of the adopted policies and procedures to their respective Governing Boards.
3. Make decisions regarding the implementation, administration and operation of the special education programs and services in accordance with the Local Plan.
4. Approve all SELPA procedures required to implement Sacramento County SELPA policies.
5. Approve the SELPA Annual Service and Budget plans and any modifications.

## **2. SELPA Superintendents' Coordinating Council Executive Sub Committee**

The SCC Executive Sub Committee will meet when requested by SCC and/or SELPA Administrator. The purpose of the Executive Sub-Committee is to provide an in-depth review of an issue to provide the SCC with a foundation for decisions. Examples include review of charter application, review of process and procedures, revisions to Local Plan, etc. The Sub-Committee does not provide a final decision, they will provide recommendations for further discussion or action.

Sub Committee membership will consist of at least 3 representatives from the SCC, including the Chair of the SCC. The SELPA Administrator shall act as secretary to the Executive Sub Committee. A quorum shall be a simple majority when determining recommendations for SCC study and/or action. Each member has a single vote with no proxy representatives. Membership of the Executive Sub Committee shall be on a rotating basis for 2 years. Members will be selected during the first SCC of the school year

## **3. SELPA Operations Council (Ops Council) 56195.1(B)(1)**

The SELPA Operations Council is made up of at least one special education administrator from each LEA and provides input to the SELPA Administrator on areas of concern which will impact each LEA. The SELPA Administrator shall consult with the Operations Council as procedures and recommendations regarding implementation, administration and operation of special education programs are developed. The Operations Council meets regularly, at least 8 months times annually unless otherwise decided by the Ops Council and SELPA Administrator. The SELPA Administrator acts as the chairperson of the Operations Council. The SELPA Administrator is responsible for providing timely written notice of the meeting and agenda, minutes for the meeting and additional documentation to provide for informed discussions by the members of Operations Council.

#### **4. SELPA Community Advisory Committee (CAC) 56205(a) (12) (C)**

Each participating district and the Sacramento County Superintendent of Schools authorizes the SELPA to establish a Special Education Community Advisory Committee.

Annually, the chair of the Community Advisory Committee prepares a report to the Superintendent's Coordinating Council detailing the activities of the year and identifying goals for the next year. The SELPA Administrator provides ongoing information to the Community Advisory Committee. Yearly, a Special Education Director is selected to serve as a liaison to the CAC.

The SELPA Administrator serves as Executive Secretary of the CAC and as liaison for the CAC to the Superintendents Coordinating Council.

The members of the Community Advisory Committee shall be appointed by, and responsible to, the Governing Board of each participating District/LEA or County Office or any combination thereof participating in the SELPA. The CAC membership's appointment shall be in accordance with a locally determined selection process that is described in the CAC By-Laws. Where appropriate, this procedure shall provide for selection of the representatives of groups specified in Section 56192 by their peers. Such procedures shall provide that terms of appointment are for at least two years and are annually staggered to ensure that no more than one half of the membership serves the first year of the term in any one year.

The CAC shall be composed of parents of students with disabilities enrolled in public or private schools, parents of students enrolled in school, students and adults with disabilities, general and special education teachers/other personnel representatives and other private agencies concerned with the needs of students with disabilities. The majority of CAC shall be composed of parents of students enrolled in schools participating in the Local Plan Area. A majority of such members shall be parents of students with disabilities.

#### **CAC Participation in the SELPA Local Plan (EC 56194)**

The CAC shall have the following duties as outlined in the Local Plan:

- A. Advise the policy and administrative entity of the SELPA and provide ongoing input from the CAC to the SELPA Administrator and LEA special education directors and Operations Council.
- B. Advise the policy and administrative entity of the district and SELPA, regarding the development and review of the Local Plan. Such entity shall review and consider comments from the CAC. To facilitate this process:
  - a. A draft of the Plan is submitted to the CAC at least 30 days prior to submission for review by the SCC.
  - b. The CAC forwards any recommended revisions and comments regarding the Plan in writing to the SELPA Administrator for review
  - c. The Chairperson signs the Plan on behalf of the CAC to indicate a 30-day review period and compliance with the membership requirements of the CAC

- C. Recommend annual priorities to be addressed by the Local Plan.
- D. Assist in parent education and in recruiting parents and other volunteers who may contribute to the implementation of the Local Plan.
- E. Encourage parents to ensure regular school attendance by students with disabilities.

A complete copy of the Sacramento SELPA CAC By-Laws is available at the SELPA Administrative Office.

**5. Administrative Unit (AU) - County Office Board and Services**

The Sacramento County Office of Education is the AU for the Sacramento County SELPA and provides oversight to the Sacramento County SELPA; meeting all requirements of state and federal laws, regulations and state policies, procedures, and compliance to ensure that the Local Plan provides all students with disabilities who reside in the SELPA's geographic area will have access to appropriate special education programs and related services. Their certification and approval of the Local Plan follows the approval guidelines determined by the California Department of Education. The County Office of Education provides advisory and direct services to members of the SELPA. Advisory Services are inclusive of fiscal assistance for budget allocations. Examples of direct services are specialized educational services for students with significant special education needs individually or in classroom format.

**6. Administrative Unit (AU) - County Superintendent of Schools and Sacramento County Board of Education**

The County Superintendent of Schools and the County Board of Education serves as the Superintendent of the Responsible Local Agency and a member of the Administrative Unit.

The Administrative Unit (AU) for the Sacramento County SELPA shall be responsible for functions such as, but not limited to:

- (a) Receipt and distribution of special education funds to district accounts for the special education programs and services, pursuant to state and federal law.
- (b) Receipt and distribution of special education funds to accounts exclusively designated for SELPA use.
- (c) The employment of staff to support SELPA functions.
  - (i) Receiving, transferring, and expending funds, based upon the budget as approved by SCC.
  - (ii) Establishing and maintaining an office of the Sacramento County SELPA.
  - (iii) Employment of the SELPA Administrator to coordinate implementation of the local plan throughout the Sacramento County SELPA and with others as appropriate.
  - (iv) Participating in funding the administrative cost of the SELPA office.

**7. Administrative Unit (AU) - SELPA Director/Administrator**

The fundamental role of the SELPA Administrator is to administer and coordinate the implementation of the Sacramento County Local Plan. The SELPA Administrator's role includes the provision of information, specific administrative services identified by the Superintendents' Coordinating Council, and technical assistance and leadership. In cooperation with the Operations Council, the SELPA Administrator collaborates with the LEAs for the delivery of appropriate special education programs and services for the students with disabilities within the SELPA, representing the interests of the SELPA as a whole without promoting any particular local education agency's interest over the interest of the other agencies. 56205 (a)(12D)(ii)(III). The Sacramento County Office of Education, as the Administrative Unit, shall be assisted in the hiring and selection process of the SELPA Administrator by the Superintendents' Coordinating Council. The SELPA Administrator is subject to the Administrative Unit's policies and procedures for day-to-day operations but receives direction from, and is responsible to, the SCC. The SELPA Administrator is evaluated by the AU Superintendent or Deputy Superintendent with input from the Superintendents' Coordinating Council.

SELPA Administrator responsibility shall include, but are not limited to all of the following:

- A. Advise the Superintendents' Coordinating Council as it relates to special education laws and issues.
- A. Advise the LEA special education administrators (Operation's Council) as it relates to special education laws and issues and meet regularly with LEA special education administrators to foster collaboration and promote resource development. Monitor compliance with federal and state laws and regulations regarding special education to ensure that procedural safeguards are in alignment. Work with LEAs individually and collectively to develop required compliance documentation and improvement plans. 56195.7(b)
- B. Monitor the appropriate use of federal, state and local funds allocated for special education programs. 56205 (a)(1L)(D)(ii){IVJ
- C. Prepare the state, federal and local reports as required with data from LEAs. 56195.7 (c){2)
- D. Provide staff development opportunities for staff, parents and members of the CAC as well as the SELPA community at large. 56197.7 (c){2)
- E. Maintain and implement the SELPA Management Information System (CALPADS, SEIS) for the purpose of compliance, progress and research information. 56195.7 (c){4).
- F. Maintain a systematic, legally and fiscally compliant Low Incidence program for students identified as meeting criteria for low incidence equipment. Review requests monthly with Operations Council. 56206 (a){12)(c)
- G. Establish and promote the Community Advisory Committee as defined by education code and by-laws. Assist and participate in the Community Advisory Committee activities and encourage parent involvement. Provide professional development to enhance and strengthen parent leadership with their LEA. Act as a liaison between the CAC, the Operations and Superintendents' Coordinating Councils by sharing information and recommendations.
- H. Approve other agreements including, but not limited to inter-SELPA and interagency agreements.
- I. Assist with development of the Allocation Plan for the distribution of federal, state and local funds received for special education programs.

## **B2. Roles and Responsibilities of Participating Entities**

### **1. LEA/District Governing Boards of Education**

The Governing Boards of SELPA LEAs shall adopt policies and procedures for special education programs and services provided in the SELPA. Such policies and procedures shall include but not be limited to all areas required by the Education Code. The LEA Governing Boards will determine and be responsible for special education programs and related services offered in their district, as well as for special education curriculum decisions. Each LEA Board, by certification of the Local Plan, assures equal access to appropriate assurances and procedures and will review and approve revisions to the Sacramento County SELPA Local Plan. By approving the Local Plan, the LEA Governing Board enters into an agreement with the other local education agencies participating in the Plan, for the provision of services and programs.

The LEA Governing Boards exercise authority over the programs they directly maintain, consistent with the Local Plan for the SELPA and individual district policies. They shall be fiscally accountable for special education programs operated by their agency (*EC 56195.5 (a)*). This applies to all Charter Schools that are chartered by LEAs located within the member LEAs of the Sacramento County SELPA. All approved charter schools will be deemed public schools within the chartering entity unless the charter has been deemed an LEA in accordance with Sacramento County SELPA Charter School Policy.

#### **Additional responsibilities of the LEA/ Agency Governing Boards include but are not limited to:**

- A. Participate in the Sacramento County SELPA by empowering their superintendent or designee to act as their agent in the approval and amendment of policies and procedures.
- B. Hire competent staff for their special education programs.
- C. Appoint members to the SELPA Community Advisory Council (CAC).
- D. Review formal complaints forwarded by the LEA superintendents, as outlined in the District's Uniform Complaint Procedures.
- E. Address questions and concerns of the public, including parents or guardians of students with disabilities who receive services under the Local Plan. EC 56205(D)14). Members of the public, including parents or guardians of students with disabilities having reached the age of majority, may address questions or concerns to the governing boards of the LEAs, and/or the SELPA Superintendents' Coordinating Council at any posted meeting.
- F. Be responsible for all aspects related to due process, California Department of Education (CDE) complaints and Office of Civil Rights (OCR) complaints.
- G. Be responsible for the development of policies and procedures related to Section 504.
- H. Maintain a copy of SELPA policies and procedures in the LEA's Board Policies and Procedures Handbook.
- I. Be responsible for maintaining links to the SELPA website with access to the Local Plan, the Allocation Plan and the Annual Service & Budget Plan report.

### **2. LEA/District Superintendent**

The District Superintendents are responsible to their respective Governing Boards.. They participate on the Superintendents' Coordinating Council and are responsible for approving policies for the operation of the Local Plan as well as the assurance that a full continuum of services is available to all students with disabilities for whom they are responsible. Each superintendent is responsible for their district's special education budget preparation. LEA Superintendents are responsible for the operation of programs and services within their district, as well as the maintenance and operation of the facilities for special education programs and services.

### **3. LEA/District Special Education Administrators**

#### **Special Education Director**

Any reference to LEA Special Education Director will refer to the person assigned to act as the lead Special Education Director for an LEA providing special education programs and services for students. The function of each LEA Special Education Director is to provide leadership in the development, implementation, evaluation and improvement of special education programs and services within the LEA. The LEA Special Education Director or Administrator is appointed by the LEA Superintendent as a member of the SELPA Operations Council. The LEA Special Education Director is also expected to work cooperatively with other LEAs and districts to plan and coordinate educational programs and services for students with disabilities within the SELPA. The Special Education Director will facilitate communication between the CAC representative(s) and other community and parent groups.

#### **Program Specialist**

Program Specialists' support services shall be available to all students with disabilities, their families and district staff. A Program Specialist possesses (or is eligible for) at least one of the following California credentials: Education Specialist, Speech-Language Pathologist/Other Clinical Services, Health Services or Education Psychology authorization and has advanced training and related experience in the education of students with disabilities and a specialized in-depth knowledge in infant, preschool, K-22, career vocational development or one or more areas of major disabling conditions.

## **B3. SELPA's Regional Policy – Process & Procedures**

### **1. SELPA's Regional Policy Making Process & Procedures**

The Sacramento County Office of Education is the Responsible Local Agency (RLA) with the Superintendent of the County School Board as RLA Superintendent. The LEA Governing Boards of the Sacramento County Special Education Local Plan Area (SELPA) are responsible for the development and adoption of policies and procedures provided in the Sacramento County SELPA. The LEA members of the Operation and Superintendents' Coordinating Councils will determine and are responsible for their special education programs' service delivery, decisions, and district-level related services.

Each superintendent assumes responsibility for communication and presentation to their Governing Boards for decisions on behalf of their LEA and the SELPA. The Operations Council

and SELPA Administrator work with the Community Advisory Council to ensure that parents' needs and concerns are considered in the implementation and operation of the Local Plan is consistent and amended as needed. The SELPA Administrator informs the Superintendents' Coordinating Council of any policies, procedures, and regulations that may need to be reviewed and/or updated. At any level of SELPA Governance, a request to determine whether changes in or the addition of a new policy or procedure may take place. As part of the SELPA Governance body, parent representatives from the Community Advisory Committee (CAC) will be informed for input and approval of Local Plan changes.

The SELPA administrative structure is interdependent in its work together to ensure that all members of the SELPA are supported in the development and implementation of the Local Plan. The Administrative Unit comprised of SELPA and County Office supports through the County Superintendent of Schools, the County Board of Education, the County Fiscal Services and the SELPA Administrator provides direct support to the SELPA LEA's in implementing the Local Plan.

The County Superintendent and Sacramento County Board of Education represent the Administrative Unit of the SELPA with support from the SELPA Administrator and Deputy Superintendent of the County Office of Education. The administrative structure and SELPA solicits input and provides continuous supports for the Local Plan through 1) Community Advisory Council, 2) Operations Council, 3) SCC Executive Sub-Committee, 4) Superintendents' Coordinating Council, and 5) LEA Governing Boards.

#### **B4. Charter Schools**

Charter Schools participate in the Local Plan through an approved application which designates the charter as a Public School within a School District or County Office of Education, or the charter has completed a successful application for SELPA entrance as an LEA within the SELPA.

A request by a charter school to participate as an LEA in the Sacramento County SELPA will not be treated differently from a similar request made by a school district.

##### **1. Categories of Charter Schools**

For the purposes of provision of special education services, a charter school shall be deemed either a public school within the chartering district or an LEA that receives funds and provides services independent of the chartering entity. In addition, a charter school that has been approved by the State Board of Education shall be deemed either a public school within the LEA to which the State Board of Education has delegated its supervisory and oversight responsibilities or a public school of the State Board of Education. All approved charter schools will be deemed public schools within a member district and will be treated in the same manner as any other public school of the member district until such time as the charter school obtains membership as an LEA of the SELPA.

##### **2. A Public School Within a School District or County Office of Education:**

Charter schools that are deemed to be public schools within the chartering entity will participate in state and federal funding in the same manner as other schools or programs within the chartering entity. The chartering entity will be responsible for ensuring that all children with

disabilities enrolled in the charter school receive special education and designated instruction and services in a manner that is consistent with all applicable provisions of state and federal law. The chartering entity will determine the policies and procedures necessary to ensure that the protections of special education law extend to students in the charter school in the same manner as students in the general program.

The chartering entity will:

- A. Receive all applicable special education funds as specified in the SELPA allocation plan in accordance with the Sacramento County SELPA's AB602 funding model. A charter school will not be eligible for special education funds in excess of the amount of state and federal funds to which they would be entitled if they were operating as an independent school district.
- B. Represent the needs of the charter school in the SELPA's governance structure.
- C. Be responsible for ensuring that all eligible students enrolled in the charter school receive special education and designated instructional services in a manner consistent with applicable state and federal law.
- D. Be responsible for procuring and funding appropriate special education services wherever the student may reside. The chartering entity may contract for these services with public or private educational entities. When a student lives outside the boundaries of the chartering district, the district in which the child lives will have no responsibility to provide services or pay excess costs.
- E. The chartering entity and the charter school may enter into agreements whereby the charter school agrees to pay for the excess costs associated with providing special education services to identified students, including the administration of special education programs. Where the chartering entity is a district, the charter school should be held fiscally responsible for a fair share of any excess cost, not funded by state or federal resources, which would have an impact on district general funds and which are due to the requirement to provide special education services throughout the district.

### **3. Charter School as a LEA within the SELPA**

A charter school may apply to become an LEA for the provision of special education services. The SELPA Superintendents' Coordinating Council will determine whether the charter school has provided the requisite assurances and satisfied the criteria for LEA status established by the SELPA. The application for a charter school will be the same as for any other LEA wishing to be a member of the SELPA. (E.C.§47645). Once granted LEA status, a charter school will participate in the same manner as other members in the governance of the SELPA.

Once deemed an LEA in the SELPA, the charter school district, county office of education, or charter school, like all other members of the SELPA, shall:

- A. Participate in governance of the SELPA in the same manner as other districts within the SELPA as specified in the SELPA Local Plan.
- B. Participate in and receive regionalized and administrative services in the same manner as other districts within the SELPA.



- C. Receive state and federal funding for special education in the same manner as other districts within the SELPA and as specified in the SELPA allocation plan. Any available federal funds will be dispersed to a new charter school or LEA member, in the same manner as other members of the SELPA, one year in arrears and calculated based on applicable special education counts.
- D. Be responsible for all costs incurred in the provision of special education services. These costs may include, but are not limited to, instruction services, transportation, non-public school/agency placements, inter/intra SELPA placements, due process proceedings, complaints and attorney fees.
- E. Document that all state and federal special education funds apportioned to the charter school are used for the sole purpose of providing special education instruction and/or services to identified students with disabilities.
- F. Place special education students in programs administered by other SELPA members only with the expressed consent of the receiving entity.

#### **4. Charter School - Policies**

This policy applies to school districts, county offices of education and charter schools applying for membership with the Sacramento County Special Local Plan Area (SELPA). The purpose of this policy is to clarify the relationship between local education agencies, charter schools, member agencies and to describe the procedures for applying for LEA status within the charter. This policy has the further purpose of assisting applicable charter schools and chartering districts that are members of the Sacramento County SELPA with their individual and mutual responsibilities under the law. In addition, this policy has the purpose of assisting applicable charter schools and chartering agencies to meet the special education needs of all eligible students enrolled in applicable charter schools. Reference: 20 USC 1413(a), 34 CFR 300.312, E.D. §56145; 56207.5; 447605 (d)(1); 47647

#### **5. Recommended Administrative Guidelines for Charter Schools Policy**

- A. The Governing Board of each Sacramento County SELPA member LEA shall not approve a petition for creation of a charter school unless the petition contains adequate assurances that the proposed school will comply with all provisions of federal and state law related to the rights of students with disabilities and their parents. (Individuals with Disabilities Act).
- B. The Governing Board shall require that a petition include how the charter school intends to serve students with disabilities. This will include a statement regarding the intent of the charter school to be deemed an LEA or a public school within a school district for the purpose of providing special education services.
- C. It is strongly advised that the petition should indemnify the sponsoring district for the cost of services to be provided to any students enrolled in the charter school.
- D. A charter school may purchase special education services from the SELPA, county, or any other appropriate source to provide the full continuum of placement options to students with disabilities.
- E. While the county office of education and school districts within the SELPA offer services to all eligible students whose parents reside within the geographic boundaries of the SELPA, services to students whose parents reside outside the SELPA's geographic area

shall be individually negotiated. The county office of education, as well as districts within the SELPA, retain the right to bill for services provided to students attending charter schools whose parents reside outside the SELPA. Charter schools located outside of Sacramento County serving students who reside within the SELPA may not access any programs or services without specific written agreement between the charter school and the entity providing the service. Such services are not limited to educational services but may include extra-curricular activities and programs.

- F. The petition shall contain assurances that no student will be denied admission to the charter school based on a disability or lack of available services; however, charter schools may establish criteria for admission related to their programming and instructional focus.
- G. Prior to approving a charter school petition, the superintendent or designee of the charting entity shall consult with the SELPA Administrator regarding the provision of special education services to students enrolled in the prospective charter school.
- H. The charter petition, or accompanying Memorandum of Understanding, shall address the allocation of excess costs and/or the charter school's fair share of special education revenue or deficit on the district general fund.
- I. The chartering entity (if the school is deemed a public school of the entity) or the charter school itself, if deemed an LEA, shall be responsible for ensuring that special education services are provided in accordance with the student's IEP.
- J. Consistent with current practice within the SELPA, a charter school IEP team may place a student in a special education program provided by another educational entity (the COE or another district or SELPA) with the concurrence of the receiving entity. Upon such placement, the placing entity will be responsible for any supports and services needed by the student to benefit from the educational program, and such costs set forth in #4 above.
- K. A district IEP team may place a student in a charter program only with the agreement between the educational entities (including the Chartering Agency) and with parental consent. Upon mutual agreement between a charter school and a school district within the SELPA, a district may elect to purchase services from a charter school to meet the needs as specified on the IEP of a student enrolled in a district program.
- L. The chartering entity will be allocated special education funds that are generated by a charter school that is deemed a public school, in compliance with the SELPA AB602 funding allocation plan and SELPA policies.
- M. The chartering entity will represent the needs for charter schools that are deemed public schools in the SELPA governance structure as defined in the Local Plan. The charter school will receive SELPA and regionalized services in the same manner as other schools within the chartering entity.
- N. Charter schools that are deemed an LEA will be allocated special education funds in accordance with the Sacramento County SELPA's AB602 funding allocation plan.

## **6. Charter School – Procedures**

Consistent with their IEPs, students attending charter schools are to be considered for special education services in a similar manner to students enrolled in other public schools in accordance with E.C. §47646. Charter schools within the SELPA shall comply with all requirements of applicable state and federal law regarding the provision of special education services. A charter school may establish criteria specific to their program that applies to all applications. However, the Charter school shall not discriminate against any pupil in its admission criteria on the basis of

disability.

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. A member district reviewing the petition for the establishment or renewal of a charter school may not refuse to grant the petition solely because the charter school might enroll students with disabilities who reside in a SELPA other than the one in which the district is a member. (E.C. §47647)

Charter schools must delineate in writing the entity responsible for providing special education instruction and services. This document must reference any anticipated transfer of special education funds between the granting entity and the charter school and any provisions for sharing deficits in funding. This document must affirm that the district where the student resides, if different than the chartering entity, is not responsible for providing special education services to the students that are enrolled in the charter school. The sponsoring district is strongly advised to specify in the Memorandum of Understanding that the district will be indemnified for costs resulting from the provision of any services to students enrolled in the charter school. Prior to approval of a new charter school, or renewal of an existing charter school, the charter school petitioner(s) are required to consult with both the Superintendent or Designee of the chartering entity and the SELPA Administrator to ensure awareness of district and SELPA guidelines and timelines as they relate to special education. This provision shall also apply whenever material changes are made to a charter school.

#### **7. Applying for LEA status with the SELPA**

A school district, county office of education, or a charter school may apply to become a member of the SELPA for the provision of special education services. The following timelines apply:

- A. An applicant must request an application from the SELPA on or before January 1 of the school year preceding the school year in which the charter school or LEA anticipates operating as an LEA within the SELPA.
- B. The applicant must submit a completed application to the SELPA on or before March 15 of the school year preceding the school year in which the charter school or LEA anticipates operating as an LEA within the SELPA.
- C. The Sacramento County SELPA Administrator and/or staff will review the application and develop a written recommendation by 30 days after receipt of the application.
- D. The applicant and members of the Superintendent's Coordinating Council will receive copies of the written recommendation 10 days prior to the item appearing on the agenda.
- E. The Superintendents' Coordinating Council will take action to approve or disapprove the applicant charter school as a LEA member by 60 days after receipt of the application.
- F. If approved, the applicant becomes an LEA member of the Sacramento County SELPA effective July 1 of the school year in which final approval was granted.
  - a. Any available federal funds will be dispersed to a new LEA member in the same manner as other members of the SELPA, one year in arrears and calculated based on applicable special education counts.
- G. If disapproved, the Sacramento County SELPA Administrator will provide the applicant with a written finding that delineates the reason(s) for disapproval.
- H. The SELPA Superintendents' Coordinating Council will determine whether the applicant

has provided the requisite assurances and satisfied the criteria for LEA status established by the SELPA.

An application for a charter school will be the same as for any other LEA wishing to be a member of the SELPA (E.C. §47645). Once granted LEA status, the applicant will participate in the same manner as other members in the governance of the SELPA.

The applicant may be included as a member LEA of the SELPA if it is determined that the applicant has met the SELPA criteria, as well as meeting the requirements set forth in this policy and the Local Plan.

The requirements include:

1. Provide assurances that all individuals with exceptional needs (ages birth to 22) shall have access to appropriate special education programs and services
2. Provide evidence to establish that the charter school/LEA receives adequate revenue to provide a full continuum of special education programs and related services including, but not limited to, instruction, services, transportation, non-public school/agency placements, inter/ intra SELPA placements, due process proceedings, complaints, and attorney fees.
3. Provide assurances that each certificated employee is appropriately credentialed to serve in his/her/their assignment.
4. Provide necessary staff as required to meet state and federal mandates.
5. Follow all SELPA agreements, policies, and procedures.
6. Utilize SELPA approved forms.
7. Provide transportation as indicated on the student's IEP.
8. Indemnify and hold harmless each of the member entities.
9. Provide assurances that students will be instructed in a safe environment.
10. Provide a copy of the charter school's original petition, as approved by its chartering entity, and any subsequently approved amendments to the petition (charter schools only);
11. Provide assurances that they will comply with Section 504 and the Americans with Disabilities Act (ADA) and that the facilities used by the charter school/LEA do not present physical barriers that would limit an eligible student's full participation in the educational and extracurricular program.
12. Provide assurances that they will follow all federal and state laws regarding discipline and change of placement of special education students.

Once deemed an LEA, the charter school district, county office of education, or charter school, like all other members of the SELPA, shall:

1. Participate in governance of the SELPA in the same manner as other districts within the SELPA as specified in the SELPA Local Plan.
2. Participate in and receive regionalized and administrative services in the same manner as other districts within the SELPA.
3. Receive state and federal funding for special education in the same manner as other districts within the SELPA and as specified in the SELPA allocation plan. Any available federal funds will be dispersed to a new charter school or LEA member, in the same manner as other members of the SELPA, one year in arrears and calculated based on

applicable special education counts.

4. Be responsible for all costs incurred in the provision of special education services. These costs may include, but are not limited to instruction services, transportation, non-public school/agency placements, inter/intra SELPA placements, due process proceedings, complaints, and attorney fees.
5. Document that all state and federal special education funds apportioned to the charter school are used for the sole purpose of providing special education instruction and/or services to identified students with disabilities.
6. Place students with disabilities in programs administered by other SELPA members only with the expressed consent of the receiving entity.

Special education apportionment must be used solely for the purposes of providing special education instruction and/or services to identified students with disabilities. Such funds shall be used to supplement and not supplant other sources of federal, state, and local funds apportioned to school districts, county offices of education and/or charter schools for the provision of services.

1. Provide assurances that they will comply with Section 504 and the Americans with Disabilities Act (ADA) and that the facilities used by the charter school/LEA do not present physical barriers that would limit an eligible student's full participation in the educational and extracurricular program.
2. Provide assurances that they will follow all federal and state laws regarding discipline and change of placement of special education students.

Once deemed an LEA, the charter school district, county office of education, or charter school, like all other members of the SELPA, shall:

1. Participate in governance of the SELPA in the same manner as other districts within the SELPA as specified in the SELPA Local Plan.
2. Participate in and receive regionalized and administrative services in the same manner as other districts within the SELPA.
3. Receive state and federal funding for special education in the same manner as other districts within the SELPA and as specified in the SELPA allocation plan. Any available federal funds will be dispersed to a new charter school or LEA member, in the same manner as other members of the SELPA, one year in arrears and calculated based on applicable special education counts.
4. Be responsible for all costs incurred in the provision of special education services. These costs may include, but are not limited to instruction services, transportation, non-public school/agency placements, inter/intra SELPA placements, due process proceedings, complaints, and attorney fees.
5. Document that all state and federal special education funds apportioned to the charter school are used for the sole purpose of providing special education instruction and/or services to identified students with disabilities.
6. Place students with disabilities in programs administered by other SELPA members only with the expressed consent of the receiving entity.

Special education apportionment must be used solely for the purposes of providing special

education instruction and/or services to identified students with disabilities. Such funds shall be used to supplement and not supplant other sources of federal, state, and local funds apportioned to school districts, county offices of education and/or charter schools for the provision of services.

## **B5. Special Education Programs & Funding**

### **1. Operation of Special Education Programs**

The AU is designated to perform such functions as receipt and distribution of funds and appropriate allocations of funds for the operation of LEA special education programs to ensure cost effective, quality programs. The AU coordinates with the SELPA Administrator and Superintendents of the LEAs for a SELPA-wide coherent delivery of services which includes monitoring the appropriate use of federal, state, and local funds allocated for special education programs with recommendations made as needed at governance meetings. Each of these governance entities have an active role in allocation of funds and recommendations for changes needed to maintain quality and equity.

In conjunction with LEAs, the SELPA Administrator oversees the preparation of state, federal, and local reports as required with data from LEAs. The AU, SELPA Administrator and LEA Superintendents review the data towards recommendations at a fiscal and/or instructional level for continuous quality programs. The SELPA Administrator meets with SELPA governance entities to examine all aspects of the SELPA Management Information Systems' results to ensure that identification, compliance and progress monitoring in the operations and instructional practices for students with disabilities continue to reflect the implementation of effective practices in the LEA/ SELPA's special education programs.

### **2. Distribution of Funds**

The formula for distribution of funds is based on such components as P-2 Attendance, Census Day Student Counts, , scarcity, regional programs, preschool programs, and eligibility for growth funding. It is recognized that a goal of the formula is to assure that a full continuum of services exists for all students, while ensuring that the Hold Harmless principle applies to all districts.

The primary responsibility for monitoring the appropriate use of federal, state, and local funds allocated for special education programs is maintained at the local district level. The SELPA Administrator and AU staff provide consultation and assistance to the local district in appropriate utilization of special education funds upon request.

Annual allocation planning begins at the Superintendents' Coordinating Council (SCC) meeting following P1 certification, at or around the end of February or beginning of March. The SELPA Administrator shares the preliminary recommendations, based on LEA, SELPA, and AU needs, with the members of Operations Council for their input and suggestions. The SELPA Administrator discusses recommendations with the SCC who may request an Executive Sub Committee convene to further study the allocations and to make budget recommendations. The final budget is developed with the SCC approval at a public meeting at or before the end of June, annually. County Office timelines are followed for budget preparation, submission, approval, and adoption. Prior to formal voting, budgets are submitted through the County Office

budget process for adoption at a public hearing.

### **3. Monitoring of Funds**

An audit trail for the utilization of federal flow-through funds is provided through the Division of Business Services of the County Office in collaboration with the district business offices and in accordance with state approved accounting practices. Separate accounting is maintained for federal funds to assure full and proper use of these funds. Federal funds are used to support staff development programs and supplement other program components but are not used to supplant state and local funds. Expenditures from year to year of state and local funds equal or exceed expenditures of these funds in the prior year.

Planning for the utilization of personnel development funds is based upon needs assessments conducted by LEA administrators and program specialists. District funds are budgeted by district administrators, while regional funds are budgeted by the Operations Council to carry out the personnel development program. The SELPA Administrator works with the Operations Council to plan programs responsive to the needs of the region and to take advantage of assistance from the RLA/AU.

### **4. Low Incidence Funding and Specialized Services and Equipment Distribution**

Low Incidence equipment funds and Low Incidence service funds are restricted in use for students in the following disability categories: hard of hearing, deaf, visual disability, orthopedically impaired and deaf blind. The funds shall be administered through the Sacramento County SELPA office. This includes receipt of funds, distribution of funds, maintaining an inventory, developing procedures for exchange of equipment, and reporting to the State.

Low Incidence Policy and Procedure can be found in the SELPA Procedural Manual.

Changes are made in budgetary allocations upon the recommendation of the approval of the Superintendents Coordinating Council.

Specialized equipment and services will be provided at the site where the Individualized Education Program (IEP) team has determined the student is provided with FAPE in the least restrictive environment (LRE). The determination of a student's eligibility for special education is the role of the IEP/IFSP Team and includes the identification of a disability as well as determination that the disability impacts the educational progress of the student to a degree that requires special education services. Students are assessed in all areas of suspected disability, using a variety of assessment tools and strategies to gather relevant functional and developmental information that may assist in determining whether the student is a child with a disability and who needs special education services.

Determining the student's primary disability, when more than one disability is identified, is also an IEP/ IFSP Team decision. The student's secondary disability may also be used for Low Incidence requests. This determination takes into consideration several factors. IEP/IFSP teams

should ask the following questions:

1. In looking at this child's movements through school and into adulthood, what is primarily impacting the student's ability to benefit from his/her education and what will he/she need to be a successful community member?
2. Which of the student's identified disabilities has the most significant impact on learning and development?
3. Is the priority of education planning to assist the student to gain access to instructional materials and supports via modalities (e.g., vision, hearing, touch) that are impacted by the Low Incidence disability?

## **B6. 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 these 23 policies, procedures, and programs.

### **1. Free Appropriate Public Education 20 United States Code (USC) Section (§) 1412 (a)(1).**

It shall be the policy of each LEA in the SELPA that a free appropriate public education is available to all children residing in the LEA between the ages of three through 21 inclusive, including students with disabilities who have been suspended or expelled from school.

### **2. Full Educational Opportunity 20 USC § 1412 (a)(2).**

It shall be the policy of each LEA in the SELPA that all pupils with disabilities have access to educational programs, nonacademic programs, and services available to non-disabled pupils.

### **3. Child Find 20 USC § 1412 (a)(3).**

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

### **4. Individualized Education Program and Individualized Family Service Plan 20 USC § 1412 (a)(4)**

It shall be the policy of each LEA in the SELPA that an Individualized Education Program (IEP) or an Individualized Family Service Plan (IFSP) is developed, reviewed and revised for each child with a disability who requires special education and related services in order to benefit from his/her individualized education program. It shall be the policy of each this LEA in the SELPA that a review of an IEP will be conducted on at least an annual basis to review a student's progress and make appropriate revisions.

**5. Least Restrictive Environment 20 USC § 1412 (a)(5)** It shall be the policy of each LEA in the SELPA that to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled. Special class, separate schooling, or other removal of a student with disabilities from



the general educational environment, occurs only when the nature or severity of the disability of the student is such that education in general classes with the use of supplemental aids and services cannot be achieved satisfactorily.

**6. Procedural Safeguards 20 USC § 1412 (a)(6)**

It shall be the policy of each LEA in the SELPA that children with disabilities and their parents shall be afforded all procedural safeguards throughout the provision of a free appropriate public education including the identification, evaluation, and placement process.

**7. Evaluation 20 USC § 1412 (a)(7)**

It shall be the policy of each LEA in the SELPA that a reassessment of a student with a disability shall be conducted at least once every three years or more frequently, if appropriate.

**8. Confidentiality 20 USC § 1412 (a)(8)**

It shall be the policy of each LEA in the SELPA that the confidentiality of personally identifiable data information and records maintained by the LEA relating to children with disabilities and their parents and families shall be protected pursuant to the Family Educational Rights and Privacy Act (FERPA).

**9. Part C, Transition 20 USC § 1412 (a)(9)**

It shall be the policy of each LEA in the SELPA that a transition process for a child who is participating in Early Intervention Programs (IDEA, Part C) with an IFSP is begun prior to a toddler's third birthday. The transition process shall be smooth, timely and effective for the child and family.

**10. Private Schools 20 USC § 1412 (a)(10)**

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

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

It shall be the policy of each LEA in the SELPA that the Local Plan shall be adopted by the appropriate local board(s) (district/county) and is the basis for the operation and administration of special education programs; and that the agency(ies) herein represented will meet all applicable requirements of state and federal laws and regulations, including compliance with the Individuals with Disabilities Education Act (IDEA), the Federal Rehabilitation Act of 1973, Section 504 of Public Law and the provisions of the California Education Code, Part 30.

**12. Interagency 20 USC § 1412 (a)(12)**

It shall be the policy of each LEA in the SELPA that interagency agreements or other mechanisms for interagency coordination are in effect to ensure services required for FAPE are provided, including the continuation of services during an interagency dispute resolution process.

**13. Governance 20 USC § 1412 (a)(13)**

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

**14. Personnel Qualifications 20 USC § 1412 (a)(14)**

It shall be the policy of each LEA in the SELPA to ensure that personnel providing special education related services meet the highly qualified requirements as defined under federal law, including that those personnel have the content knowledge and skills to serve children with disabilities. This policy shall not be construed to create a right of action on behalf of an individual student for the failure of a particular LEA staff person to be highly qualified or to prevent a parent from filing a State complaint with the California Department of Education (CDE) about staff qualifications.

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

It shall be the policy of each LEA in the SELPA to comply with the requirements of the performance goals and indicators developed by the CDE and provide data as required by the CDE.

**16. Participation in Assessments 20 USC § 1412 (a)(16)**

It shall be the policy of each LEA in the SELPA that all students with disabilities shall participate in state and district-wide assessment programs. The IEP team determines how a student will access assessments with or without accommodations, or access alternate assessments, consistent with state standards governing such determinations.

**17. Supplementation of State/Federal Funds 20 USC § 1412 (a)(17)**

It shall be the policy of each LEA in the SELPA to provide assurances that funds received from Part B of the IDEA will be expended in accordance with the applicable provisions of the IDEA; will be used to supplement and not to supplant state, local, and other Federal funds.

**18. Maintenance of Effort 20 USC § 1412 (a)(18)**

It shall be the policy of each LEA in the SELPA that federal funds will not be used to reduce the level of local funds and/or combined level of local and state funds expended for the education of children with disabilities except as provided in federal law and regulations.

**19. Public Participation 20 USC § 1412 (a)(19)**

It shall be the policy of each LEA in the SELPA that public hearings, adequate notice of the hearings, and an opportunity for comment be available to the general public, including individuals with disabilities and parents of children with disabilities prior to adoption.

**20. Suspension/Expulsion 20 USC § 1412 (a)(22)**

The LEAs assure 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.

**21. Access to Instructional Materials 20 USC § 1412 (a)(23)**

It shall be the policy of each LEA in the SELPA 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.

**22. Overidentification and Disproportionality 20 USC § 1412 (a)(24)**

It shall be the policy of each LEA in the SELPA to prevent the inappropriate disproportionate representation by race and ethnicity of students with disabilities.

**23. Prohibition on Mandatory Medicine 20 USC § 1412 (a)(25)**

It shall be the policy of each LEA in the SELPA 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.

**B7: Administration of Regionalized Operations and Services**

**1. Coordination of the SELPA & Implementation of Local Plan**

The Sacramento County SELPA assures that all regionalized services for operations and service functions are supported by Responsible Local Agency (RLA)/Authorizing Unit (UA). The Sacramento County Office of Education is the RLA with the Superintendent of the County School Board as RLA Superintendent. The LEA Governing Boards of the Sacramento County Special Education Local Plan Area (SELPA) are responsible for the development and adoption of policies and procedures provided in the Sacramento County SELPA.

These governances, the LEA members of the Operations and Superintendents Councils are responsible for their district special education programs' service delivery decisions and district level related services. At any level of SELPA governance, a request to determine whether changes in or the addition of a new policy or procedure may take place. As part of the governance process in the Local Plan representatives from the Community Advisory Committee will be informed for input and approval of Local Plan changes.

Role of the Administrator of the SELPA:

The SELPA Administrator will ensure that the Local Plan is implemented and will make recommendations to the Superintendents' Council when revisions are needed. The SELPA Administrator will facilitate the development and approval of SELPA policies and procedures necessary to implement the Local Plan. The role of the individual LEAs is to ensure a full continuum of services are available in order to provide a free and appropriate public education to all students with disabilities for whom they are responsible. Additionally, the individual LEAs, through the representative to the Superintendents' Council, will approve any policies and procedures needed to implement the Local Plan.

Any necessary changes in policies/procedures for the implementation of the Local Plan follow the guidelines of the Local Plan governances which provide for task force/work study groups within the Operations and Superintendents' Coordinating Councils. These groups address the need and proposed response as well as provide analysis and recommendations to the SCC for a

formal response.

Each superintendent assumes responsibility for communication and presentation to their governing boards for decisions on behalf of their LEA and the SELPA. The Operations Council and SELPA Administrator work with the Community Advisory Council to ensure parents' needs and concerns are considered in the implementation and operation of the Local Plan.

The SELPA Administrator, with input from the Operations Council, informs the Superintendents' Coordinating Council of any current policies, procedures and regulations need review and/or action towards the appropriate status of the Local Plan and its implementation. When no amendments are needed but attention to implementation strategies are recommended, the Operations Council reports to the SELPA Administrator who communicates to the Superintendents' Council and following individual LEA policies, their governing board.

## **2. Coordinated System of Identification and Assistance**

LEA Program Specialists share direct responsibility for responding to parents' request for referral to determine whether the student needs an assessment to determine additional services. This responsibility belongs to the LEA. The RLA/AU is responsible for the LEA's determination of the need for assessments as well as the subsequent services.

The SELPA Administrator ensures that the full continuum of services, inter-SELPA transfers, appropriate assessments, professional development and technical assistance are provided when requested and/or needed by member LEAs and/or nonpublic schools. Each LEA is responsible for providing a full continuum of services to their school community.

Information provided to the SELPA Administrator from members of the Operation's Council shall be shared with the Superintendents' Coordinating Council to determine the regional programs needed to meet the needs of the students with disabilities within the SELPA.

## **3. Coordinated System of Procedural Safeguards**

The LEA Program Specialist or Director assures procedural safeguards by providing technical assistance and guidance on forms and procedures to parents in the area of assessment, identification and placement.

The SELPA Administrator assures procedural safeguards by providing technical assistance and guidance on forms and procedures to LEAs in the areas of assessment, identification and placement. The SELPA also provides parents with a copy of their procedural safeguards upon request. A copy is maintained on the website for accessibility. Individual LEAs provide safeguards to parents following education code and assisting parents in their understanding of the procedures and implementation of the local plan.

## **4. Coordinated System of Staff Development and Parent/Guardian Education**

LEA level Directors and Program Specialists provide support in the form of program planning and staff development as well as the innovation and implementation of specialized instructional practices.

The RLA/AU provides the support for provision of professional development and its implementation. The SELPA Administrator develops a professional development plan and implementation based on input from LEA members. With the assistance of the SELPA Administrator, the Community Advisory Committee gathers input from members to develop options for training and support.

### **5. Coordinated System of Curriculum Development and its Alignment**

LEA level Directors and Program Specialists coordinate curricular resources for students with disabilities. They receive direct support to ensure program quality for participation and implementation of all areas of curriculum and its assessment and modification strategies as needed. LEA's are responsible for the adopted curriculum and how to identify and meet the students' needs for instructional improvement.

### **6. Coordinated System of Program Review and Evaluation of Effectiveness through the use of a Local Plan Accountability System**

The LEA level Directors and Program Specialist provide direct instructional support, including evaluating their program's effectiveness . The RLA/AU provides support to this work by offering direct training. The SELPA Administrator works with the LEA's to review and monitor Annual Performance Reports, the California School Dashboard, and other data sources to ensure students with disabilities receive a free and appropriate public education. Individual LEAs also engage in monitoring activities as required by the CDE.

### **7. Coordinated System of Data Management**

The SELPA Administrator provides technical assistance and training to the LEA's as requested. Fidelity is maintained by reviewing and approving the CALPADS' submission of each LEA's student as required by the CDE. The LEA's are responsible for the data entry, quality and integrity. LEA's will approve the CALPADS data system and its submission as required by the CDE.

### **8. Coordination of Inter-agency Agreements**

The RLA/AU provides leadership and direct support for the determination of need for formal agreements which will be reviewed, revised or developed depending on the need of the SELPA/LEA. The SELPA Administrator will ensure that interagency agreements are in place as needed by Education Code and provide technical assistance and dispute resolution as needed. LEA's participation on the Superintendents' Coordinating Council will approve and implement interagency agreements as needed.

### **9. Coordination of Services to Medical Facilities**

The RLA/AU provide support for the coordination of services for students with disabilities and the specific medically based issues which they need. The SELPA administrator facilitates the coordination of the LEA services which are designated to be needed by the student. The individual LEAs having exceptional needs which may include the following settings inclusive of state licensed, public hospitals, psychiatric a health or medical purposes are the responsibility of the LEA is which the health facility is located.

Each LEA shall be responsible for the provision of special education and related services to individuals with exceptional needs residing in hospitals and other residential facilities located within the geographical area of the LEA. Each LEA shall first consider services operated by the LEA, next by the SELPA, and then by the SELPA centralized and/or regionalized program providers. If the special education services available within these entities are not appropriate, then the district shall contract with an appropriate service provider for implementation of the student's IEP. These may include employees of other LEAs within the SELPA, those of a neighboring SELPA, or a Nonpublic Agency (NPA).

#### **10. Coordinating of services to licensed children's institutions (LCI) and foster family homes.**

Each LEA shall be responsible for the provision of special education and related services to individuals with exceptional needs residing in LCIs and foster homes located within the geographical area of the LEA. Each LEA shall first consider services operated by the LEA and then by SELPA centralized and/or regionalized providers. If the special education services available within the entities are not appropriate, then the district shall contract with an appropriate NPA service provider for implementation of the pupil's IEP.

#### **11. Preparation/Transition of Special Education Local Plan Area Reports**

The RLA/AU provides support in the development, involvement and approval of the Local Plan for the SELPA. The SELPA Administrator will ensure timely transmission of required reports and provide technical assistance to the SELPA LEAs in completing the reports. The individual LEAs will submit required data in order for the SELPA to submit timely reports.

#### **12. Fiscal and Logistical Support of the CAC**

The RLA/AU provides support for the Community Advisory Council in their meetings and services to enhance the strength of the CAC in its on-going and annual goals. The SELPA Administrator will provide fiscal and logistical support to the CAC meetings, events, and training that are approved by the Superintendents' Coordinating Council. The LEA superintendents, through the Superintendents' Coordinating Council, will ensure that the SELPA has sufficient resources to provide fiscal and logistical support for the CAC. LEA Directors will facilitate communication between their CAC representation from the LEA.

#### **13. Coordination of Transportation Services for Individuals with Exceptional Needs**

The RLA/AU provides guidance and oversight for transportation services' development. The SELPA Administrator will provide technical assistance as requested. Each individual LEA is responsible for providing transportation for the students with disabilities as determined by their IEP teams.

#### **14. Coordination of Career and Vocational Education and Transition Services**

Each LEA will provide appropriate career and vocational education and transition services as required under state and federal law. The SELPA will provide technical assistance and staff development when needed. The SELPA will ensure appropriate inter-agency agreements are in place and facilitate connections to agencies as needed. Additionally professional development and technical assistance is available upon request or as determined to be needed by the SELPA to LEAs and/or nonpublic schools. Each LEA, through their representative to the Superintendents'

Coordinating Council, will determine the regional programs needed to meet the needs of the students with disabilities within the SELPA. Additionally, each LEA is responsible for providing a full continuum of services.

### **15. Assurance of Full Educational Opportunity**

The LEA level Director and/or Program Specialist assures students have a full educational opportunity regardless of the district of special education accountability. The SELPA ensures that the full continuum of services is provided as described in the Annual Services Plan. Supporting this, the SELPA assists with Inter-SELPA transfers as needed. Additionally, professional development and technical assistance is available upon request or as determined to be needed by the SELPA to LEAs and/or nonpublic schools. Each of the SELPA's LEAs has their Superintendents' Coordinating Council members determine the regional programs needed to meet the needs of the students with disabilities within the SELPA.

### **16. Fiscal Administration and Allocation of State and Federal Funds**

The LEA's submit required fiscal reports as required by state and federal laws. The RLA/AU provides oversight and fiscal support regarding SELPA's fiscal allocation. The AU coordinates with the SELPA Administrator and Superintendents of the LEAs for a SELPAwide coherent delivery of services which includes monitoring the appropriate use of federal, state and local funds allocated for special education programs. The Superintendents Coordinating Council has an active role in the allocation of funds and recommendations for changes needed to maintain equity and quality programs and services. The SELPA Administrator will facilitate the distribution of funds in accordance with the SELPA funding allocation plan approved by the Superintendents Coordinating Council. The SELPA Administrator will also facilitate the Annual Budget Plan approval process with the Superintendents Coordinating Council. The Annual Budget Plan must be submitted to CDE by June 30th, annually. Through their representative to the Superintendents Coordinating Council, each LEA will determine and approve the allocation of funds to the member LEAs and the Annual Budget Plan.

### **17. District Instructional Program Support that may be Provided by Regional or LEA-Based program specialists in accordance with EC Section 56368**

This SELPA does not have regional program specialists. Instructional support is provided by LEA funded program specialists and/or LEA Directors/Coordinators. This support is designed to maintain current high quality practices in each of the LEAs and throughout the SELPA.

### **18. Early Childhood Special Education 0-5 years of age**

Early Education Services are provided for all eligible infants, toddlers and preschool children by member LEAs, as needed, through: 1) Cooperative agreements within the SELPA wherein infant programs are operated by the Sacramento County Office of Education, 2) Inter-agency agreements with Alta Regional Center, and 3). LEA preschool programs. The Local Inter-agency Agreement for Alta Regional Center describes specific policies, procedures, roles and responsibilities for serving infant and toddlers.

### **19. Public Participation**

Members of the public, including parents or guardians of students with disabilities and students

with disabilities having reached the age of majority, may address questions or concerns to the government boards of the local education agencies, the Superintendents Council or the Community Advisory Council at any posted meeting.

## **20. Dispute Resolution and Procedural Safeguards: funding, services and other governance activities**

Individual LEAs provide safeguards to parents following education code and assisting parents in their understanding of the procedures and implementation of the Local Plan. LEA level Program Specialists and Director supports alternate dispute resolutions with districts as requested by parents. Directors or LEA level Program Specialists assist parents with filing complaints with the Office of Administrative Hearings when requested. The LEA Program Specialist or Director also assures procedural safeguards by providing technical assistance and guidance on forms and procedures to LEAs in assessment, identification and placement. The RLA/AU representative continues to provide oversight to ensure support for LEA's service to students.

## **21. Prereferral Interventions**

Each LEA shall ensure that a pupil is referred for special educational instruction and services only after the resources of the general education program have been considered and, where appropriate, utilized. Such resources may include, but not be limited to, response to intervention models, student success teams, early literacy programs, and remedial programs. Under the frameworks of a system such as Multi-Tiered Supports, the student may benefit from continuous intervention services without the need for a formal evaluation. If the intervention and parent team determines that a formal evaluation is warranted and an evaluation is initiated the formal assessment process begins through the special education procedures.

## **22. Evaluation of NPS Placements and IEP Progress**

When the IEP team has determined that a placement in a non-public, non-sectarian school program is necessary, the designated LEA administrator is responsible for assisting the parent in locating the appropriate placement. The IEP team determines placements based on the student's needs in the area of academic, social-emotional, mental health and/or other related services. The NPS provides report cards to the LEA each reporting period. State testing is administered in the format determined by the IEP team. The student's progress in all goal areas is evaluated and discussed at minimum annually in a formal IEP format. The LEA designated administrator conducts regular NPS school site visits to observe the quality and safety of the program. These visits shall be conducted prior to an initial placement and at least annually thereafter. Additionally, the SELPA Administrator shall conduct site visits as requested by an LEA, when LEA has concerns, and/or for other reasons determined by the SELPA Administrator.

## **23. SacCo Adults in Correctional Facilities**

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



Adults who are aged 18-22 years, have not graduated with a high school diploma, who, at the time they have turned 18 were identified as an individual with exceptional needs and had an individualized education program ("IEP") under the IDEA, are also entitled to a FAPE (hereinafter ("eligible adults"). This applies to adults imprisoned in California adult jails and prisons. However, an individual aged 18 through 21 years, who, in the educational placement prior to his or her imprisonment in an adult correctional facility was not identified as an individual with an exceptional need or did not have an IEP under the IDEA, is not entitled to a FAPE.

For eligible adults who prior to reaching the age of majority resided within the Sacramento County SELPA geographic boundaries, the applicable LEA within the SELPA shall ensure they are provided FAPE.

If the parent relocates to a new District of Residence (DOR) , the new DOR shall become the responsible LEA. If the student is conserved, the DOR of the conservator shall be the responsible LEA , as long as and until the conservator relocates or a new one is appointed. At that time, the new DOR shall be the responsible LEA.

Once the LEA is informed that one of its residents is an eligible adult imprisoned at an adult correctional facility, it will revise the individual's IEP as necessary, including conducting an annual review, as needed, subject to the cooperation of the correctional facility where the student is located. The LEA will determine whether the qualified individual is provided a FAPE pursuant to IDEA and corresponding California special education code.

To receive special education services while imprisoned, a qualified individual must consent to the receipt of such services and enroll in the adult education program at the adult correctional facility. The following special education exemptions apply to eligible individuals who are convicted as adults under State law and imprisoned in adult prisons:

1. The requirements set out in 20 U.S.C. § 1412(a)(16) and 20 U.S.C. § 1414(d)(1)(A)(i)(VI) (relating to participation in general assessments) do not apply. Eligible individuals convicted as adults under State law and imprisoned in adult prisons are exempted from participation in State and district wide assessment programs under IDEA.
2. The requirements of items (aa) and (bb) of 20 U.S.C. § 1414(d)(1)(A)(i)(VIII) (relating to transition planning and transitional services), do not apply with respect to such individuals whose eligibility under the IDEA will end, because of their age, before such individuals will be released from prison.
3. If an individual with a disability is convicted as an adult under state law and imprisoned in an adult prison, the individual's IEP Team may modify the individual's IEP or placement notwithstanding the least restrictive environment ("LRE") requirements of 20 U.S.C. § 1414(d)(1)(A) and the IEP contents requirements of 20 U.S.C. § 1414(d)(1)(A) if there is a bona fide security or compelling penological interest that cannot otherwise be accommodated.

## **Section D: Annual Budget Plan**

Annually, the SELPA shall adopt an annual budget plan at a public hearing. The Annual Budget Plan shall identify expected income and expenditures.

## **Section E: Annual Service Plan**

The SELPA shall adopt an annual service plan at a public hearing. The Service Plan provides an overview of the programs and services available within the SELPA.

## **Attachments**

### Attachment I

1. Revised/Updated Annually, this section of the Local Plan includes the California Department of Education (CDE) issued county/district/school code (CDS) and the full name for each local educational agency (LEA) participating in the Local Plan. Revised/Updated Annually, each LEA must report special education budget revenue and expenditures. This includes the following:

### Attachment II - Projected Special Education Revenue by Local Educational Agency

1. Apportionment received by the LEA in accordance with the allocation plan adopted by the SELPA.

### Attachment III - Projected Expenditures by Object Code by the LEA

1. 1000 - Certificated Salaries
2. 2000 - Classified Salaries
3. 3000 - Employee Benefits
4. 4000 - Supplies
5. 5000 - Services and Operations
6. 6000 - Capital Outlay
7. 7000 - Other outgo and Financing

### Attachment IV Projected Revenue by Federal, State, and Local Funding Sources by LEA

Each LEA participating in the Local Plan, must show their projected special education revenue received by each funding source.

### Attachment V

Projected Expenditures by LEA for Supplemental Aides and Services in the Regular Classroom for SWD and those identified with Low Incidence Disabilities

Each LEA participating in the Local Plan must show projected expenditures for Supplemental Aides and Services in the Regular Classroom for Students with Disabilities and those Identified with Low Incidence Disabilities.

### Attachment VI

Each LEA participating in the Local Plan must show their programs and services available to their students. This documents the SELPA continuum of services.

Attachment VII SELPA membership transfers and mergers

Sacramento County SELPA does not have membership transfers or mergers for the 23-24 school year.