

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



California Department of Education  
Special Education Division

SELPA

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**B. Governance and Administration**

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

**Participating Local Educational Agencies**

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

**Special Education Local Plan Area—Local Plan Requirements**

- 1. Describe the geographic service area covered by the local plan: [*EC 56195.1(d); EC 56195.1(a)(1); EC 56211; EC 56212*]

The Southwest Special Education Local Plan Area (SELPA), henceforth referred to as the SW SELPA, is a multi-district SELPA comprised of the Centinela Valley Union High School District, El Segundo Unified School District, Hawthorne School District, Hermosa Beach City School District, Inglewood Unified School District, Lawndale Elementary School District, Lennox School District, Manhattan Beach Unified School District, Palos Verdes Peninsula Unified School District, Redondo Beach Unified School District, Torrance Unified School District, and Wiseburn Unified School District. The participating charter schools include: Century Community Charter, Family First School, Lennox Mathematics, Science & Technology Academy, New Opportunities School, and Opportunities for Learning Capistrano. These Local Education Agencies joined together to provide for the coordinated delivery of programs and services to students with disabilities.

The Southwest SELPA is located on the western coast of Southwest Los Angeles County.

- 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 administrative organization of the Southwest Local Plan for Special Education, hereinafter referred to as the Local Plan, incorporates the management staff from all participating LEAs into a framework that provides direct supervision over all programs and the necessary coordination of regionalized services. The respective governing boards, superintendents, and administrators of special education all provide appropriate support to the implementation of the Local Plan within their LEA. The SELPA shall be governed by a Superintendents' Council made up of the lead administrator from each school district Local Education Agency (LEA) member. Per agreements between the authorizing LEA and charter school LEA members, all charter school LEAs will be represented on the Superintendents' Council by the Superintendent (Lead Administrator) of their authorizing school district located within the geographic boundaries of the SW SELPA. The SW SELPA will only accept charter schools authorized by an LEA located within its geographic boundaries. For current charters located outside of the geographic boundaries of the SW SELPA, the charter school Lead Administrator may submit information to the SELPA Administrator to be presented to the Superintendents' Council for consideration. The Superintendents' Council, as the governance council, provides support to the SELPA Administrator and is the decision-making entity for the Local Plan. In adopting the completed plan, each participating LEA

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agrees to carry out the duties and responsibilities assigned to it within the plan. Participating agencies may enter into additional contractual arrangements to meet the requirements of applicable federal and state law.

**Superintendents' Council**

Each participating LEA will be represented on the Superintendents' Council, as specified herein. The LEA's lead administrator (Superintendent) may designate another LEA representative to act as a voting member of the Superintendents' Council for up to two meetings per school year, July 1 through June 30. All other meetings must be attended by the lead administrator.

All meetings of the Council shall be noticed and conducted in compliance with the Brown Act and other applicable laws. Superintendents may participate via telephone or video conferencing, pursuant to the provisions of the Ralph M. Brown Act, if unable to attend a meeting. Meeting notices shall be sent to all SW SELPA Superintendents and others as requested.

The Superintendents' Council shall meet a minimum of four times per year. A majority, defined as more than half of members, is required for a quorum. Decisions will be made by a majority vote, unless a member of the Council calls for a weighted vote.

Each school district LEA member shall have a weighted vote on the Superintendents' Council, based upon average daily attendance of the member (ADA) and all of the charter schools operating under that member's oversight, as follows:

- 0 - 1099 ADA = 1 vote
- 1,100 - 3,099 ADA = 2 votes
- 3,100 - 6,499 ADA = 3 votes
- 6,500 - 9,999 ADA = 4 votes
- 10,000 - 14,999 ADA = 5 votes
- 15,000 - above ADA = 6 votes

The authorizing LEA shall then represent the interest of the charter schools it oversees when voting on the Superintendents' Council of the SELPA. This is to include the charter schools operating as an LEA member of the SELPA and charter schools operating as a school of the district LEA member.

The annual ADA, as certified by California Department of Education (CDE), shall be used to determine the following year's voting system and thus updates the above formula annually. In the event the annual ADA has not been certified by the CDE, the previous year's annual certified ADA shall be used until the next annual certified ADA report is available.

The Superintendents' Council shall elect a Chairperson from among its members for a term of two years. The Chairperson shall call and chair meetings and provide agenda items to the SELPA Administrator. The Chairperson may be elected for more than one term. The Superintendents' Council shall serve as the governing board of the SELPA with all actions taken by the Council serving as the official position of the SELPA and all of its member LEAs.

The SELPA Administrator serves as Secretary to the Superintendents' Council. The SELPA Administrator will prepare each agenda, with consultation from the chairperson, and all required materials.

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Superintendents' Council responsibilities shall include, but is not limited to:

- Approve amendments to the local plan.
- Take action to approve or deny annual budget and service plans at a public hearing scheduled at a Superintendents' Council meeting in compliance with all legal mandates.
- Take action to approve or deny SELPA-wide policies, administrative regulations, procedures, resolutions, local interagency agreements, and guidelines for the management and implementation of special education programs and services within the SELPA.
- Provide direction and approval of SELPA budgets.
- Recruit, select, supervise and evaluate the SELPA Administrator.
- Provide direction to the SELPA Administrator for regionalized and program specialist services.
- Take action to approve or deny requests for program transfers.
- Approve revisions to the allocation plan for the distribution of federal, state and local funds allocated for special education programs.
- Establish and promote a Community Advisory Committee (CAC); review and consider comments from the CAC.

**SELPA Administrator**

The SELPA Administrator carries out the SELPA's obligation to assure equal access to all programs and services in the SELPA and provides advice to members of the public, including parents or guardians of individuals with exceptional needs who are receiving services under the local plan, on the availability of established due process and legal service options and procedures. In cooperation with the California Department of Education, the SELPA Administrator provides information to ensure that all special education pupils receive appropriate due process and procedural safeguards as provided by law.

Specific duties of the SELPA Administrator include, but are not limited to:

- Establish and maintain a positive relationship with all members of the SELPA.
- Coordinate implementation of all components of the local plan.
- Prepare and submit approved annual budget and service plans.
- Oversee the recruitment, supervision, and evaluation of SELPA staff.
- Gather input from LEA program and business staff to formulate policy and procedure recommendations for Superintendents' Council action related to the distribution of state and federal funds among the LEAs.
- Meet with LEA program and business staff regarding special education program needs, policies, procedures, agreements, and forms; and the development and implementation of personnel development programs.
- Provide LEA program staff with a venue for sharing ideas regarding issues such as IEP development and implementation, curriculum scope and sequence, student performance targets,

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assessments, instructional best practices, and day-to-day operations.

- Develop and maintain interagency agreements with appropriate public agencies to ensure a full range of special education programs and services.
- Ensure appropriate use of federal, state, and local funds allocated for special education.
- Prepare program and fiscal reports required by the LEAs, SELPA, and the California Department of Education.
- Provide technical assistance and consultation to LEAs in all areas of special education, including complaint and due process procedures.
- Coordinate, schedule, and attend meetings of the Superintendents' Council
- Attend or designate a representative to attend the Community Advisory Committee, and other SELPA Committees.
- Provide technical assistance to the LEAs with non-public schools and agencies, including distribution of the Master Contract and rates.
- Act as a liaison between and among the member LEAs, SELPAs, the California Department of Education, Governance Council, Greater Los Angeles Area SELPAs (GLAAS), the Community Advisory Committee, Local Plan Committee, U.S. Department of Education Office of Special Education Programs, and elected government officials to assist with information dissemination and ensure compliance and implementation of the local plan.
- Supervise programs as directed by the Superintendents' Council.
- Inform the superintendents of the status of the special education programs.
- Inform the superintendents of significant special education updates from the local, state and federal level.
- Serve as Secretary to the Superintendents' Council to include preparation and distribution of agendas, minutes, and materials.
- Review, provide feedback, and certify LEA CALPADS data.
- Provide technical assistance and support to member LEAs for monitoring activities required by the California Department of Education.
- Connect member LEAs to the Statewide System of Support.

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 superintendent or lead administrator of each participating LEA shall continue to be responsible to their governing bodies for the administration of programs located within their LEAs, and compliance with this Local Plan. This includes informing their governing bodies of all aspects of the SELPA Local Plan for Special Education, recommending policies to their governance bodies for adoption addressing legal requirements and issues of concern to the member agencies of the SELPA, and implementing and

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administering policies recommended by the Superintendents' Council and adopted by the governing body of the LEA.

The Superintendents' Council shall approve and review all policies, procedures and fiscal decisions in the implementation of the SELPA Local Plan. Local board policy of each member LEA of the SELPA shall indicate that the LEA is responsible for educating students with disabilities in the least restrictive environment. Placement in special education programs or services occurs only when the nature or severity of the disability is such that the student's education, even with the use of modifications of the general educational program or use of supplementary aids or programs, cannot be achieved satisfactorily in the general education setting.

The Superintendents Council will take action to approve or deny SELPA-wide policies, administrative regulations, procedures, resolutions, local interagency agreements, and guidelines for the management and implementation of special education programs and services within the SELPA.

The Superintendents' Council may direct the SELPA Administrator to form ad-hoc committees, as appropriate, to address issues that arise and report back and/or make recommendations to the Council. Such ad-hoc committees may include finance and special education administrators. The SELPA Administrator or designee shall provide support and technical assistance to any ad-hoc committees. The SELPA Administrator or designee shall provide updates to the Council. It is understood that the SELPA Administrator is responsible for developing any recommendations for the Superintendents' Council to assure compliance with state and federal laws.

The Superintendents' Council shall approve the Annual Budget and Service Plan, including any allocation plans for distribution of funds. The Superintendents' Council shall communicate directly with the SELPA Administrator on SELPA-wide activities, as appropriate, and provide input into the evaluation of the SELPA Administrator. The SELPA Administrator shall serve as secretary to the Superintendents' Council.

- 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 SW SELPA shall submit the local plan to the superintendent of the Los Angeles County Office of Education for approval. If the County Superintendent does not approve an alternative plan, the County office shall return the plan with comments and recommendations to the LEA(s). The LEA(s) participating in the alternative plan may appeal the decision to the Superintendent of Public Instruction (E.C. 56140(b)(2)).

- 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.

[Empty text box for explanation]

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6. Identify and describe the representation and participation of the SELPA community advisory committee (CAC) pursuant to EC Section 56190 in the development of the local plan: [EC 56194(a)(b)(d); EC 56195.9(a)]

**Community Advisory Committee**

The Local Plan requires establishing a Community Advisory Committee (CAC). Such committee serves only in an advisory capacity. The CAC shall maintain written bylaws and report of actions taken.

Community Advisory Committee Appointments

The members of the Community Advisory Committee shall be appointed by, and responsible to, the governing board of each participating LEA member participating in the Local Plan. Appointment shall be in accordance with a locally determined selection procedure with appointments determined by the Superintendents in the event no other local procedures exist. The CAC and/or the SELPA Administrator may recommend potential appointees to Superintendents. Where appropriate, this procedure shall provide for selection of representatives of groups specified in Section 56192 by their peers. The procedure shall provide that terms of appointment are for two years with additional terms up to eight years maximum.

- a) Each participating LEA within the Local Plan shall select two representatives from their respective area to participate on the CAC.
- b) Each LEA governing board shall fill vacancies created on the Community Advisory Committee from their respective LEA. Where appropriate, this procedure shall provide for selection of representatives of groups specified in Education Code Section 56192 by their peers.
- c) The LEA special education administrator shall assist with the coordination of the CAC.
- d) The SELPA Administrator or designee shall serve as the administrative liaison to the Community Advisory Committee.

Composition of CAC

The Community Advisory Committee shall be composed of parents of individuals with exceptional needs enrolled in school, students and adults with disabilities, regular education teachers, special education teachers and other school personnel, representatives of other public and private agencies, and persons concerned with the needs of individuals with exceptional needs. The committee shall select officers annually in accordance with the bylaws.

The CAC chairperson shall sign the certification page of the Local Plan signifying review and participation in the revision.

Parent Majority in CAC: At least the majority of such committee shall be composed of parents of pupils enrolled in schools participating in the local plan, and at least a majority of such parents shall be parents



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of individuals with exceptional needs.

Community Advisory Committee Responsibilities

The Community Advisory Committee shall have such authority and fulfill such responsibilities as are defined for it in the local plan. Such responsibilities shall include 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. Such entity shall review and consider comments from the Community Advisory Committee.
- b) Recommending annual priorities to be addressed in the local plan by providing input to the LEA special education administrators.
- c) Assisting in feedback for parent education and in recruiting parents and other volunteers who may contribute to the implementation of the local 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 parents of individuals with exceptional needs to the extent these pupils also fall within one or more of the definitions in Section 42238.01.

Additional responsibilities may include:

- a) Promoting the concept of Parent-Professional collaboration through participation and involvement of parents and professionals at CAC trainings, meeting, and events.
- b) Educating the community regarding issues and public policy impacting special education and students with disabilities.

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)]



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cooperatively by a committee. The committee will include administrators, special/general education teachers and parent(s) selected by the group they represent. The parent(s) will be members of the Community Advisory Committee (CAC) or selected by the CAC. The SELPA Administrator or designee will serve as committee chairperson.

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]

The Superintendents' Council has designated the Lawndale Elementary School District as the Administrative Unit (AU) of the SW SELPA. The responsibilities of the AU include but are not limited to:

- 1) Receive and disburse regionalized service funds to include, but not be limited to, personnel development, evaluation, data collection; maintain a management information system; monitor the appropriate use of federal, state and local funds allocated for special education.
- 2) Provide support to the SELPA Administrator and Superintendents' Council, consistent with the expectations of the Superintendents' Council.
- 3) Approve contractual agreements for the Southwest Special Education Local Plan Area which meets the requirements of EC 56200.
- 4) Serve as the employing agency for personnel who have responsibilities throughout the Local Plan Area. Such personnel will include but not be limited to the SELPA Administrator and classified support staff. Employment of such personnel will be in accordance with personnel policies and practices of the Lawndale Elementary School District and procedural employment policies approved by the Superintendents' Council.
- 5) Approve SELPA policies which affect Lawndale Elementary School District's role as Administrative Unit.
- 6) Receive and distribute Federal, State, and local funds as determined by the Superintendents' Council and the Local Plan.
- 7) Provide suitable office space for both certificated and classified employees of the SELPA, if determined by the Superintendents' Council.
- 8) Establish appropriate record keeping procedures to be followed by each Local Education Agency for purposes of maintaining accurate fiscal and accounting records in accordance with State and Federal requirements and submit required reports to the appropriate authorities.
- 9) Provide administrative and departmental support, including purchasing, human resources, and information technology.

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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)]

The SELPA Administrator will facilitate agreements for the provision and coordination of services by other public agencies that are funded to serve students with disabilities. The SELPA Administrator shall develop and maintain interagency agreements and/or memorandums of understanding necessary to support the implementation of the local plan, and as required by legal mandates, such as Regional Centers. Other interagency agreements and/or memorandums of understanding will be developed as needed in support of the local plan. Copies of these documents can be requested through the SELPA office.

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 local governing board responsibilities include, but are not limited to:

- Exercise authority over, assume responsibility for, and be fiscally accountable for special education programs operated by the agency.
- Appointing their superintendent as their designee for the approval and review of all policies, procedures and fiscal decisions in the implementation of the SELPA Local Plan.
- Adoption of policies and procedures for special education programs and services within their LEA.
- Provide input on SELPA policies and procedures through the superintendent of the LEA.
- Appointment of members to the SW SELPA Community Advisory Committee.
- Ensure LEA compliance with all elements of the local plan.

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)]

The superintendent or lead administrator of each participating LEA shall continue to be responsible to their governing bodies for the administration of programs located within their LEAs, and compliance with this Local Plan. The lead administrator shall provide, as necessary, direct support to his/her staff in planning, establishing, and implementing policy decisions. In addition, each lead administrator shall be responsible for:

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- a. The administration of all special education programs under the jurisdiction of their governing board.
- b. The submission of proposed policies by the Superintendents' Council to their governing boards with appropriate recommendations.
- c. The implementation of policies and procedures adopted by the SELPA.
- d. Ongoing collaboration with the SELPA Administrator and various SELPA Councils and committees necessary to implement the Local Plan.
  - Assure that the provisions of the local plan are implemented in the LEA in compliance with State Education Code and Federal IDEA.
  - Calendar items requiring local board approval.
  - Direct the activities of administrators of special education in coordinating the administration of the local plan.
  - Assure that required data is submitted to the SELPA and/or administrative agency in a timely fashion.
  - Assure that appropriate facilities are available to meet the needs of students with disabilities residing in the geographical area covered by the local plan.
  - Assure that appropriate facilities are available for the delivery of services.
  - Other duties as required by federal and state law.

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)]

The LEA Superintendents shall direct activities of the administrators of special education in coordinating the administration of the local plan.

LEA Special Education Administrator Responsibilities

The Special Education administrator and/or designee ('administrators') shall direct the operation of the special education programs and services that are operated by the LEA. In addition, the administrators shall assist in the coordination of the administration of the local plan as follows:

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- Are employed by their respective LEA and are responsible to their LEA superintendent.
- Are responsible for the coordination of special education services and programs within their agencies and for the implementation of the local plan within their LEAs.
- Assign staff as required to assist in the development of regionalized services including, but not limited to, the development of a coordinated child find identification, placement and referral system, personnel, and curriculum development activities, and evaluation and program review/monitoring activities.
- Making available a free appropriate public education to all children residing in the LEA between the ages of birth through 21 inclusive, including students with disabilities who have been suspended or expelled from school.
- Identifying and serving students in medical facilities, foster care, or Licensed Children's Institutions (LCI) pursuant to federal and state law.
- Developing and providing programs and services for all eligible students residing in the LEA and for students attending private schools.
- Organize, administer, and supervise the activities of local IEP teams.
- Ensuring participation in state and district-wide assessments.
- Operating all special education programs and services in accordance with federal and state laws and regulations.
- Organize the activities of the Resource Specialist Program (RSP) and assure that the programs comply with the provisions pursuant to EC 56362.
- Ensure equal access to all programs within the SELPA for students with disabilities by:
  - Use of common forms and web-based IEP development system
  - Acceptance of all students with disabilities appropriately referred to regionalized programs across LEAs
  - Assure the availability of programs as needed
- Assure that required information, reports and necessary waivers are submitted to the SELPA Administrator in a timely fashion.
- Coordinate and conduct LEA special education monitoring and review activities as required.
- Implement and monitor any corrective actions findings for all monitoring and review activities.
- Respond to compliance and due process complaints and implement required corrective actions if needed
- Forward to the SELPA Administrator, copies of all monitoring activities and reviews, Office of Civil Rights, due process, and state-level complaint findings, as agreed.
- Collecting and completing state and federal report requirements in a timely manner, including CALPADS reports.

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- Perform other duties necessary to coordinate the administration of the local plan.

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)]

SELPA Administrator and SELPA Support Staff

A SELPA Administrator shall be employed by the AU or, as approved by the Superintendents' Council in agreement with the AU, employment may be with a member LEA.

A panel selected by the Superintendents' Council shall recommend a final candidate for SELPA Administrator to the Superintendents' Council from a list of candidates who have been screened by the AU or a member LEA personnel office and meet the qualifications and requirements of the position.

The selection of the SELPA Administrator shall be the sole responsibility and decision of the Superintendents' Council.

The SELPA Administrator shall be evaluated annually by the Chair of the Superintendents' Council for continued assignment in the position. The Chair of the Superintendents' Council may solicit input from members of the Superintendents' Council.

The SELPA Administrator oversees the recruitment, supervision, and evaluation of the SELPA staff per AU or other employing LEA guidelines.

The individual LEAs will provide representation on the interview panel for the hiring of SELPA staff as needed.

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)]

All federal and state special education funds are allocated to the SELPA for distribution to member LEAs as directed by the Superintendents' Council based on an approved funding allocation plan for special education programs and services. SW SELPA allocation plans are developed based on the unique needs of member LEAs in accordance with federal and state laws and specific grant requirements. Any changes to the funding allocation plan for federal and state special education funds shall be made by the Superintendents' Council.

The role of the AU is to receive federal and state special education funds on behalf of member LEAs and the SELPA and disburse funds respectively using the appropriate accounts.

The role of the SELPA Administrator is to ensure funds are disbursed in alignment with the

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approved funding allocation plan in addition to required procedures and guidelines for federal and state special education funds using the appropriate accounts for member LEAs.

The role of member LEAs receiving funds is to establish and maintain appropriate accounting records as required by state and federal laws for special education funding. LEAs also provide related reports to the SW SELPA when required for the disbursement of special education funds.

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

Specific duties of the AU:

The AU shall be responsible for receipt of and distribution of any funds for the operation of special education programs in accordance with the provisions of the Education Code Section 56836.

Specific duties of the SELPA Administrator:

- Coordinate implementation of all components of the local plan.
- Meet with LEA program and business staff regarding special education program needs, policies, procedures, agreements, and forms.
- Provide LEA program staff with a venue for sharing ideas regarding issues such as program/ service development, IEP oversight and development and implementation, curriculum scope and sequence, student performance targets, instructional best practices, and day-to-day operations.
- Develop and maintain interagency agreements with appropriate public agencies to ensure a full range of special education programs and services.
- Monitor and ensure appropriate use of federal, state, and local funds allocated for special education operations.
- Provide technical assistance to LEAs with non-public schools and agencies, including distribution of a Master Contract template and rate negotiations.
- Act as a liaison between and among the member LEAs, SELPAs, the California Department of Education, Governance Council, Greater Los Angeles Area SELPAs (GLAAS), the Community Advisory Committee, Local Plan Committee, U.S. Department of Education Office of Special Education Programs, and elected government officials to assist with information dissemination and ensure compliance and implementation of the local plan.
- Supervise and implement programming as directed by the Superintendents' Council.

Specific duties of the individual LEAs:

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- Coordinating and conducting child find activities.
- Making available a free appropriate public education to all students residing in the LEA and/or local plan geographic area
- Developing and providing programs and services for all eligible students residing in the LEA and for students attending private schools.
- Identifying and serving students in medical facilities, foster care, or Licensed Children's Institution (LCI) pursuant to federal and state law.
- Ensuring participation in state and district-wide assessments.
- Operating all special education programs and services in accordance with federal and state laws and regulations and in alignment with SELPA policies/procedures.

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

The 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 member LEAs within the SELPA through a sub-grantee process and shall annually conduct and report to the CDE the required MOE information. The AU will provide consultation and support to the SELPA related to the monitoring of the appropriate use of federal, state and local funds used for special education programs.

The SELPA Administrator or designee shall be responsible to monitor, at a minimum annually, the appropriate use of all funds allocated for special education programs and services. Final determination, monitoring and action regarding the appropriate use of special education funds shall be made through the required annual maintenance of effort reports and Annual Budget Plan submitted to the California Department of Education.

The individual LEAs, along with the SELPA Administrator shall ensure that the 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 state, local, and other Federal funds and not to supplant those funds; and 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 students with disabilities except as provided in Federal law and regulations.



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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]

The Southwest SELPA serves all students, ages 0-21, which are identified as individuals with exceptional needs, including those identified as having "low incidence" disabilities. The SELPA and individual LEAs will ensure that specialized equipment is accessible to students and in alignment with federal and state law (e.g., AB 650). Specialized equipment and services will be provided at the site where the Individualized Education Program (IEP) team has determined provides the program/services where the student with a free and appropriate public education is served in the least restrictive environment.

Low Incidence funds may be used for all students with low incidence disabilities as defined by law (hearing impairments, visual impairments, severe orthopedic impairments or any combination thereof) where an IEP team has determined the pupil meets eligibility requirements for a low incidence disability and the specialized equipment and/or services are recommended in the student's IEP.

The LEA is responsible for providing a student with disabilities who requires the use of an assistive technology device, as noted in their IEP, with continued access to that device, or to a comparable device, when the student, because of enrollment in another LEA, ceases to be enrolled in that LEA. This responsibility is in force until alternative arrangements for providing the student with continuous access to the assistive technology device, or to a comparable device, can be made or until two months have elapsed from the date that the student ceased to be enrolled in that LEA, whichever occurs first (EC 56040.3).

**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: Section 11- Appendix A (# 1)

Document Title: Southwest SELPA Procedural Manual

Document Location: Procedural Manual on website, SELPA office, district Special Education offices

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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

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**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

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**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

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**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

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**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

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**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

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**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

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**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

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**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

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**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

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**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

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**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

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**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

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**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

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**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

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**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

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**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

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**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

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**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

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**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

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**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:

Role of the RLA/AU:

The AU receives and maintains accountability for fiscal and accounting records in accordance with federal and state requirements and submitting reports to appropriate authorities. The AU is responsible to fulfill responsibilities as identified in Local Plan Requirements #8 above.

Role of the Administrator of the SELPA:

The SELPA Administrator will ensure that the local plan is implemented, making recommendations to the Superintendents' Council when revisions are needed. The SELPA Administrator will facilitate development and approval of SELPA policies and procedures necessary to implement the local plan and fulfill responsibilities as identified in Local Plan Requirements #2 above.

Role of the Individual LEAs:

Ensure a full continuum of services/supports are available in order to provide a free appropriate public education to all students with disabilities for whom they are responsible. Through their representative at the Superintendents' Council, will review and approve policies/procedures to implement the local plan. Each participating LEA shall adopt local policies and administrative regulations to support the Local Plan and its implementation, including by way of ensuring compliance with the IDEA and Education Code requirements for identifying and serving individuals with exceptional needs in compliance with specified procedures. LEAs are responsible for developing, adopting and updating their local policies and administrative regulations per their own procedures.

2. Coordinated system of identification and assessment:

Document Title:

Document Location:

Role of the RLA/AU: N/A

Role of the Administrator of the SELPA:

Ensures each LEA conducts child find activities. Provides technical support to LEAs and guidance to parents as needed. Participates in child find activities by establishing policies and procedures for the

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member LEAs and ensuring appropriate interagency agreements are in place.

Role of the Individual LEAs:

Each LEA is responsible for identifying and assessing all students for whom they are responsible.

3. Coordinated system of procedural safeguards:

Document Title:

Document Location:

Description:

Role of the RLA/AU: N/A

Role of the Administrator of the SELPA:

- Assist parents with explanation and guidance on their rights and procedural safeguards.
- Be available to answer parent questions related to filing complaints with the CDE and/or Office of Administrative hearings.
- Provide guidance to LEAs on procedural safeguards
- Assure procedural safeguards are in place by providing technical assistance and guidance on forms and procedures to LEAs in the areas of assessment, identification, and placement.
- Post procedural safeguards on website.

Role of the Individual LEAs:

LEAs will provide procedural safeguards to parents consistent with the education code and ensure that the safeguards are implemented. LEAs will assist parents in understanding of procedural safeguards

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

Document Title:

Document Location:

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Description:

Role of the RLA/AU: N/A

Role of the Administrator of the SELPA:

The SELPA provides technical assistance and staff development as requested or determined appropriate for member LEAs.

The SELPA facilitates input from the Community Advisory Committee to determine parent education needs.

Role of the Individual LEAs:

LEAs determine their staff development and parent/guardian education, based on their local needs. The SELPA may assist with this implementation.

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

Document Title:

Southwest SELPA Procedural Manual

Document Location:

SELPA website; SELPA office

Description:

Role of the RLA/AU: N/A

Role of the Administrator of the SELPA:

The SELPA provides technical assistance and staff development as requested or determined appropriate for member LEAs.

Role of the Individual LEAs:

Individual LEAs will determine their curriculum development and alignment with the core curriculum, based on their local needs.

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

Document Title:

Southwest SELPA Procedural Manual / Regionalized Program Participation Agreement

Document Location:

SELPA website; SELPA office

Role of the RLA/AU:

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Description:

The AU, as the grantee for state and federal funds, will monitor the SELPA funding allocations and distributions to member LEAs. Monitoring of fiscal components will be handled as noted in previous sections of the local plan.

Role of the Administrator of the SELPA:

- Review Annual Performance Reports, California School Dashboard, and other data sources with LEA administrators
- Review Annual Budget Plan with Superintendents, CAC and other interested parents, community or educational groups
- Review Annual Service Plan with Superintendents, CAC and other interested parents, community or educational groups
- Review of the Fiscal Allocation Plan with the Superintendents to ensure appropriate distribution of funds.
- Review, monitor, and certify CALPADS Data
- Review, monitor, and certify required monitoring as directed by the CDE
- Provide technical assistance for program improvement as directed by the CDE.

Role of the Individual LEAs:

- Review and monitor Annual Performance Reports, California School Dashboard, and other data sources to ensure SWDs receive a free appropriate public education.
- Engage in monitoring activities as required by the CDE.
- Review and monitor CALPADS data.
- Participate in program improvement as directed.

7. Coordinated system of data collection and management:

Document Title: Southwest SELPA Procedural Manual

Document Location: Procedural Manual on website, SELPA office, district Special Education offices



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Description:

Role of the RLA/AU: N/A

Role of the Administrator of the SELPA:

The SELPA will review and certify the California Longitudinal Assessment and Pupil Data System (CALPADS) submission of each member LEA as required by the California Department of Education. The SELPA will provide technical assistance and training to LEAs as requested and/or deemed necessary by the SELPA or CDE. The SELPA will support member LEAs in reviewing and analyzing data.

Role of the Individual LEAs:

LEAs are responsible for data entry, quality and integrity. LEAs will approve the California Longitudinal Assessment and Pupil Data System (CALPADS) submission as required by the California Department of Education. LEAs will participate in training and professional development offered to support data collection and management.

8. Coordination of interagency agreements:

Document Title:

Document Location:

Description:

Role of the RLA/AU: N/A

Role of the Administrator of the SELPA:

The SELPA Administrator, or designee, will review, revise, or develop interagency agreements as required to implement the plan. The SELPA administrator will ensure that interagency agreements are in place as required by California Education Code and provide technical assistance and dispute resolution as needed.

Role of the Individual LEAs:

Through representation of the Superintendents Council, LEAs will approve and implement interagency agreements as appropriate.

9. Coordination of services to medical facilities:

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Document Title:	<input type="text" value="Regionalized Program Participation Agreement"/>
Document Location:	<input type="text" value="SELPA office"/>
Description:	<p><u>Role of the RLA/AU:</u> N/A</p> <p><u>Role of the Administrator of the SELPA:</u></p> <p>The SELPA will facilitate the coordination of these services by the designated LEAs and provide technical assistance as needed.</p> <p><u>Role of the Individual LEAs:</u></p> <p>Individuals with exceptional needs who are placed in a public hospital, state licensed children's hospital, psychiatric hospital, proprietary hospital, or a health facility for medical purposes are the educational responsibility of the local educational agency in which the hospital or facility is located.</p>

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

Document Title:	<input type="text" value="Regionalized Program Participation Agreement"/>
Document Location:	<input type="text" value="SELPA office"/>
Description:	<p><u>Role of the RLA/AU:</u> N/A</p> <p><u>Role of the Administrator of the SELPA:</u></p> <p>The SELPA will facilitate the coordination of these services by the designated LEAs.</p> <p><u>Role of the Individual LEAs:</u></p> <p>Special education services for students with disabilities residing in foster family homes or licensed children's institutions shall be the responsibility of the district in which the foster family home or the licensed children's institution is located, unless based on education code there is another district of special education accountability which would be responsible.</p>

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

Document Title:	<input type="text" value="Southwest SELPA Procedural Manual"/>
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Document Location:	Procedural Manual on website, SELPA office, district Special Education offices
Description:	<p><u>Role of the RLA/AU:</u></p> <p>The AU shall complete required accountability and fiscal reports through the SELPA.</p> <p><u>Role of the Administrator of the SELPA:</u></p> <p>The SELPA Administrator is responsible for the timely submission of fiscal reports. The SELPA Administrator will provide support and technical assistance to the LEA in preparation of any required monitoring reports. The SELPA Administrator will certify required monitoring reports, as well as CALPADS.</p> <p><u>Role of the Individual LEAs:</u></p> <p>LEAs shall be responsible for gathering all data and fiscal information required by the SELPA, the County, the CDE and the Federal Government. The individual LEAs will prepare required documents and submit timely reports to the CDE and SELPA, including CALPADS data and monitoring reports.</p>

12. Fiscal and logistical support of the CAC:

Document Title:	Southwest SELPA Procedural Manual
Document Location:	Procedural Manual on website, SELPA office, district Special Education offices
Description:	<p><u>Role of the RLA/AU:</u></p> <p>The AU will approve those expenses deemed appropriate and approved by the Superintendents' Council and /or SELPA Administrator.</p> <p><u>Role of the Administrator of the SELPA:</u></p> <p>The SELPA will provide fiscal and logistical support for CAC meetings, events, and trainings.</p> <p><u>Role of the Individual LEAs:</u></p> <p>The LEAs superintendents through the Superintendents' Council will ensure that the SELPA has appropriate fiscal and logistical support for</p>

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

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:	Southwest SELPA Procedural Manual
Document Location:	Procedural Manual on website, SELPA office, district Special Education offices
Description:	<p><u>Role of the RLA/AU:</u> N/A</p> <p><u>Role of the Administrator of the SELPA:</u></p> <p>Through approval of the Annual Services Plan, the SELPA Administrator will ensure that the full continuum of services is available. The SELPA Administrator will assist with Inter/Intra SELPA Fiscal Agreements. Professional development and technical assistance is available upon request or as determined by the Superintendents' Council. The SELPA will provide technical assistance and support as it applies to alternative placement options including non-public school.</p> <p><u>Role of the Individual LEAs:</u></p> <p>Each LEA, through their representative to the Superintendents' Council will determine the regional programs needed to meet the needs of students with disabilities within the SELPA. Additionally, each LEA is responsible for providing a full continuum of services.</p>

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:	Southwest SELPA Procedural Manual
Document Location:	Procedural Manual on website, SELPA office, district Special Education offices
	<p><u>Role of the RLA/AU:</u></p> <p>The AU and SELPA Administrator will work collaboratively to ensure that the distribution and allocation of funds are distributed based on the agreed upon Fiscal Allocation Plan. The AU shall be responsible for functions including, but not limited to:</p> <ul style="list-style-type: none"><li>• Receipt and distribution of any funds for the operation of special</li></ul>

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education programs to appropriate accounts.

- Receipt and distribution of special education funds to accounts exclusively designated for SELPA use.

Role of the Administrator of the SELPA:

The SELPA Administrator will:

- Ensure that the distribution and allocation of funds to member LEAs is in alignment with the SELPA Fiscal Allocation Plan.
- Review, monitor and submit required fiscal reports as identified by CDE
- Review and submit the Annual Budget Plan
- Report to member LEAs the amount of funding each LEA generates for the SELPA no later than 30 days after receiving their P1 apportionment.

Role of the Individual LEAs:

The individual LEAs, through their representative to the Superintendents' Council, determine and approve the SELPA Fiscal Allocation Plan and the Annual Budget Plan. The LEAs will submit required fiscal reports to the SELPA in a timely manner to meet local, State and Federal timelines. The LEAs will also submit required fiscal reports to the CDE as required by state and federal law.

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

Document Title: Southwest SELPA Procedural Manual

Document Location: Procedural Manual on website, SELPA office, district Special Education offices

Description: N/A – the SELPA does not have a program specialist

**Special Education Local Plan Area Services**

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

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Document Title:

Document Location:

Description:   
The Lawndale Elementary School District provides Early Start services on a regional basis for all member school districts. The Southwest SELPA shall provide early intervention services consistent with our 1980-81 mandates and in accordance with Early Start Laws and Regulations. In addition, the SELPA shall serve children who have a solely low incidence disability. Enrollment of additional, eligible children up to the programs funded capacity shall occur, per the interagency agreement with local regional centers. The priority for these placements is dually eligible infants and toddlers.  
  
The Southwest SELPA is committed to providing procedural safeguards to families of infants and toddlers with disabilities as mandated by state and federal law.  
  
The Southwest SELPA program includes center and home-based programs and any related services as determined in the IFSP.  
  
Preschool Programs (ages 3-5)  
  
Referrals for students ages 3, 4, and 5 who are not in transitional kindergarten or kindergarten are made to the child's school district of residence. Referrals for assessment may be received from parents, pediatricians, social workers or other community members. Parents will receive either an Assessment Plan or Prior Written Notice within 15 days of receipt of the referral. If an Assessment Plan is signed by the parent/guardian, the assessment will be completed within 60 days of receipt by the LEA.  
  
Each participating school district operates a continuum of preschool options designed to prepare young children for kindergarten. Services are based on state and federal eligibility and the identified needs of the preschooler as outlined in the IEP. A transition IEP is held for students exiting the Early Start program prior to the student's third birthday. An initial IEP is held following completion of an appropriate multidisciplinary assessment for referred preschoolers.  
  
For a list of service options for children aged 3-5, refer to the Annual

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

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:

STEP 1  
If a local education agency disagrees with a decision or practice of another agency or the SELPA Office, that local educational agency has a responsibility to discuss and attempt resolution of the disagreement with the party, or parties directly involved.  
  
STEP 2  
If unresolved, the parties involved will present the issues to their respective superintendents or designees who will attempt to resolve the matter. Either party may request direct assistance of the SELPA



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Description:

Administrator or Chairperson of the Superintendents' Council.

STEP 3

If unresolved, either party may request to agendaize the issue at a future Superintendents' Council meeting in closed session. The Superintendents' Council decision is final unless the issue applies to paragraph one in STEP 4.

STEP 4

If a dispute arises over the responsibility for service provision, governance activities, program transfer, or distribution of funding; or if a local educational agency or group of LEAs believes that an action taken by the SELPA Governing Board will create an undue hardship on member LEAs or the SELPA; or that an action taken exceeds the authority granted within the local plan and/or state or federal statute, the aggrieved party may submit the matter for mediation.

Any request for mediation must be submitted in writing to the SELPA Administrator. If the issue is related to an action taken by the Governing Board, the request must be submitted within thirty (30) days of the action taken by the Governing Board. The written request must clearly identify the reason(s) for the request and the potential resolution(s) to the problem. The SELPA Administrator or mutually agreed upon mediator will facilitate a resolution.

STEP 5

If the dispute in STEP 4 is unresolved in mediation, the issue shall be settled by arbitration. The parties shall mutually agree to a neutral third party arbitrator.

The participating LEAs will defend and indemnify the SELPA and AU against, and will hold and save the SELPA and AU, its officers, agents, and employees harmless from any and all actions, claims, damages to persons or property, penalties, obligations, or liabilities that may be asserted or claimed by any person, firm, entity, corporation, political subdivisions, or any other organization arising out of the operation or maintenance or other activities of the LEA or its agents, employees, or independent contractors under this local plan.

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

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considered and, where appropriate, utilized:

Document Title:

Document Location:

Description:

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:

Document Location:

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public education program is available, as determined by the IEP team.

The LEA, or SELPA on behalf of the LEA, shall oversee and evaluate all placements in nonpublic, nonsectarian schools. The LEA, or SELPA on behalf of the LEA, shall do the following:

- Annually verify the NPS has conducted training pursuant to EC 56366.1 (a)(4)
- Conduct one onsite visit to the NPS prior to placement of a pupil if the LEA does not have any pupils enrolled at the school at the time of placement
- Conduct one onsite monitoring visit each school year that the LEA has a pupil attending and which it maintains a master contract. The monitoring visit shall include:
  - A review of services provided to the pupil through the individual service agreement between the LEA and NPS
  - A review of progress the pupil is making toward the goals in the IEP
  - A review of progress the pupil is making toward the goals set forth in the pupil's behavior intervention plan, should one be included in the IEP
  - Observation of the pupil during instruction
  - Conduct a walkthrough of the facility
  - The onsite monitoring visit shall be documented in a report to be submitted to the CDE within 60 calendar days of the visit.

The IEP team shall consider the onsite monitoring visit report when evaluating whether the student is making appropriate educational progress at the NPS.

Non-Public School/Agency Placement Process

Before an LEA places a student with a disability in, or refers a student to, a non-public school (NPS), the LEA shall hold an IEP team meeting to review the IEP.

The IEP team may recommend a NPS placement when a public school placement cannot be identified, which will appropriately meet the

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student's needs. The IEP team shall take steps to find an appropriate placement in a public program operated by another LEA including the regional programs. Following determination by the IEP team that the student requires a NPS placement, the LEA in consultation with parents and other public agencies, (which may have financial responsibilities for the placement of the student) will select one or more non-public schools to determine which one can implement the student's IEP. (EC 56342)

Out-of-State Non-Public Placements

Before contracting with a NPS outside of California, the LEA shall document its efforts to utilize public schools or to locate an appropriate NPS within the state

If an LEA decides to place a student in an NPS outside of this state, the LEA shall indicate the anticipated date for the return of the student to a public school or NPS or a combination thereof, located in the state and shall document efforts during the previous placement year to return the student.

If an LEA places a student with an NPS outside of this state, the student's IEP team shall submit a report to the (district) superintendent within 15 days of the placement decision. The report shall include information about the special education and related services provided by the out-of-state program placement and the costs of the special education and related services provided, and shall indicate the efforts of the LEA to locate an appropriate public school or NPS or a combination thereof, within the state. (E.C. 56365) The District will complete the Reporting of Out-of-State Nonpublic, Nonsectarian School and Agency Placement form, send it to CDE Interagency-Nonpublic Schools/ Agencies Unit.

Transfer of Student Receiving Services in Non-Public School

When a student, receiving services in a NPS, moves outside of the boundaries of the local district, the parent shall immediately report the change of residence to the administrator of both the former and new public school and the NPS. As agreed by the terms of the contract, the contracting NPS shall immediately notify the LEA in both the former and new residence areas. The superintendent (or designee) of the local district making payment to the NPS must immediately notify the new local district of the transfer and provide a copy of the student's records, including the IEP, and the contract for services with the NPS. The fiscal responsibility of the former local district shall terminate on the last day of

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the student's residence in that district.

Within (15) working days of receiving the student's records, the receiving district in the SELPA shall conduct a review of the student's IEP to determine whether or not the NPS placement is still appropriate. The following factors shall be considered in determining the appropriateness of the pupil's current placement:

- No appropriate public education program is available.
- To move the student at the time of change of residence would be harmful to the health, welfare or educational progress of the individual.
- The NPS continues to be within a reasonable distance and/or travel time from the home of the student.
- Other contingencies that necessitate the individual remaining at the NPS as determined by the IEP team.

If the student's NPS placement is considered appropriate in keeping with the federal mandate of the least restrictive environment, the receiving LEA shall negotiate a new contract for services with the NPS. If the placement is considered inappropriate, the new LEA shall, after a review of the IEP and with the consent of the parent/guardian, provide the needed special education services and facilities.

Transfer of Student in a Residential Non-Public School

When a student was placed and residing in a residential NPS prior to transferring to a school district in another special education local plan area, and this placement is not eligible for funding pursuant to Section 56836.16, the district that made the residential NPS placement in the SELPA prior to transfer shall continue to be responsible for the funding of the placement, including related services, for the remainder of the school year. An extended year session is included in the school year in which the session ends. (EC 56324(c))

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.

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(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:

Public Hospitals, Proprietary Hospitals, Other Residential Medical Facilities and Adults 18-22 in County Jails.

The Governance Body shall determine the participating public education agency and/or agencies which shall provide special education programs and services for students with disabilities who are placed in a public hospital, state licensed children's hospital, psychiatric hospital, proprietary hospital, or a medical facility, for other than educational purposes or including adults with an IEP ages 18 to 22 based on eligibility who are in county jails or shall refer the student to the appropriate SELPA provider program. SELPA shall maintain a current list of these facilities located within the Southwest SELPA and shall notify each LEA of the names of the institutions, located in the Southwest SELPA. SELPA shall also notify the Director of each of these local facilities of the appropriate person to contact regarding students with disabilities.

56041. Except for those pupils meeting residency requirements for school attendance specified in subdivision (a) of Section 48204, and notwithstanding any other provision of law, if it is determined by the individualized education program team that special education services are required beyond the pupil's 18th birthday, the district of residence responsible for providing special education and related services to pupils between the ages of 18 to 22 years, inclusive, shall be assigned, as follows:

(a) For nonconserved pupils, the last district of residence in effect prior to the pupil's attaining the age of majority shall become and remain as the responsible local educational agency, as long as and until the parent or parents relocate to a new district of residence. At that time, the new district of residence shall become the responsible local educational agency.

Description:

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(b) For conserved pupils, the district of residence of the conservator shall attach and remain the responsible local educational agency, as long as and until the conservator relocates or a new one is appointed. At that time, the new district of residence shall attach and become the responsible local educational agency.

56041.5. When an individual with exceptional needs reaches the age of 18, with the exception of an individual who has been determined to be incompetent under state law, the local educational agency shall provide any notice of procedural safeguards required by this part to both the individual and the parents of the individual. All other rights accorded to a parent under this part shall transfer to the individual with exceptional needs. The local educational agency shall notify the individual and the parent of the transfer of rights.