

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



California Department of Education

Special Education Division

January 2020

SELPA South Orange County

Fiscal Year 2020-21

## 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:

South Orange County (SOC) SELPA's geographic service area contains the boundaries of the Saddleback Valley Unified School District (SVUSD) and Laguna Beach Unified School District (LBUSD). SVUSD serves the communities of Aliso Viejo, Irvine, Laguna Hills, Laguna Woods, Lake Forest, Mission Viejo, Rancho Santa Margarita, and portions of unincorporated Orange County. LBUSD serves the community of Laguna Beach and portions of Aliso Viejo and Newport Coast.

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

The South Orange County (SOC) Special Education Local Plan Area (SELPA) is comprised of a multi- LEA governing body including Saddleback Valley Unified School District (SVUSD) and Laguna Beach Unified School District (LBUSD). These Districts have have joined together pursuant to California Education Code Section 56195.1(c) and adopted a plan for the purpose of providing coordinated programs and services to students with disabilities. In adopting the Local Plan, SVUSD and LBUSD agree to carry out the duties and responsibilities assigned within the plan. The SVUSD is designated as the Responsible Local Agency (RLA) and is, therefore, responsible for the receipt and administration of funds for SELPA use and for the provision of administrative support and the coordination of the implementation of the Local Plan.

Governing Body:

The SOC SELPA Governance Committee (governing body) has the task of initiating, reviewing and adopting necessary policies for the operation of SELPA activities, including but not limited to, the implementation of the Local Plan for Special Education. The SOC SELPA Governance Board is made up of the superintendent of Laguna Beach Unified School District and the Superintendent of Saddleback Valley Unified School District. Both voting members shall constitute a quorum. The Governance Committee is made up of the Governance Board, the two Assistant Superintendents of Business Services, the two Directors of Special Education, the SELPA Administrator, and the SELPA Program Specialist. The SOC SELPA Governance Committee shall meet three (3) times annually during a fiscal year Fall, Winter and Spring.

Duties of the Chairperson:

Each year, the Governance Board shall rotate Superintendent to serve as Chairperson. The Chair will preside at all meetings. He/she shall have the same rights as other members of the Governance Board, in voting, introducing motions and resolutions, and discussion of questions that follow. He/she shall sign such documents on behalf of the Governance Committee as may require his/her signature. He/she shall represent the Governance Committee in deliberations with other boards, school districts or agencies unless the other Superintendent member is so designated.

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### Responsible Local Administrative Agency (RLA)

The Saddleback Valley Unified School District's Board of Education and Superintendent shall serve as the Responsible Local Administrative Agency (RLA) for the SELPA with responsibilities including:

- The RLA is designated to perform such functions as receipt and allocation of regionalized services funds, and the provision of administrative support.
- The RLA shall be responsible for the employment, evaluation, and discipline of the SELPA staff, unless otherwise determined through a Memorandum of Understanding. It shall be the responsibility of the SELPA Governance Board Chairperson to evaluate the SELPA Director with input from the Governance Committee.
- Upon recommendations of the Governance Committee, the RLA Board of Education is responsible for approving the annual service and budget plans. The development of the annual service and budget plans shall coincide with the RLA budget process.
- The RLA shall implement policies and procedures for special education programs and services provided in the SOC SELPA, according to the Local Plan and Governance Committee's direction. Such policies and procedures shall include, but not be limited to, all areas specified in applicable sections of the Education Code.

### 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:

The Governance Council is the policy-making group, which provides cooperative leadership for the SELPA. Operational and programmatic questions are negotiated at this level and decisions are communicated to the Special Education Directors by the Superintendents or SELPA Director, as appropriate. The Board of Education of each member district is responsible for the review and approval of the Local Plan and any policies required for its implementation. The RLA coordinates the development and monitors the implementation of policies and procedures, which ensure compliance with procedural safeguards and due process requirements. The district special education administrators are responsible for the administration and supervision of programs operated by their respective districts.

### 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:

The Orange County Department of Education provides support to the member Districts of the SELPA in the following ways:

- specialized programs for students with disabilities
- staff development
- legal and fiscal guidance
- Child Find support

Additionally, County offices shall do all of the following (56140)

Initiate and submit to the Superintendent a county-wide plan for special education that demonstrates the coordination of all local plans submitted pursuant to Section 56205 and that ensures that all individuals with exceptional needs residing within the county, including those enrolled in alternative education programs, including, but not limited to, alternative schools, charter schools, opportunity schools and classes, community day schools operated by districts, community schools operated by county offices of education, and juvenile court schools, will have access to appropriate special education programs and related services. However, a county office shall not be required to submit a county-wide plan when all the districts within the county elect to submit a single local plan.

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Within 45 days, approve or disapprove any proposed local plan submitted by a district or group of districts within the county or counties. If approved, the county office shall submit the plan with comments and recommendations to the Superintendent. If disapproved, the county office shall return the plan with comments and recommendations to the district. The district may immediately appeal to the Superintendent to overrule the county office's disapproval. The Superintendent shall make a decision on an appeal within 30 days of receipt of the appeal. A local plan shall not be implemented without approval of the plan by the county office or a decision by the Superintendent to overrule the disapproval of the county office.

Approval shall be based on the capacity of the district or districts to ensure that special education programs and services are provided to all individuals with exceptional needs, and both of the following:

- Whether the local plan adheres to the guidelines established pursuant to Section 56122 for the development of local plans.
- Whether the local plan contains all of the required components as detailed in Section 56205.
- Participate in the state on-site review of the district's implementation of an approved local plan.
- Join with districts in the county that elect to submit a plan or plans pursuant to subdivision (c) of

Section 56195.1. Any plan may include more than one county, and districts located in more than one county. Nothing in this subdivision shall be construed to limit the authority of a county office to enter into other agreements with these districts and other districts to provide services relating to the education of individuals with exceptional needs.

For each Special Education Local Plan Area located within the jurisdiction of the county office of education that has submitted a revised local plan pursuant to Section 56836.03, the county office shall comply with Section 48850, as it relates to individuals with exceptional needs, by making available to agencies that place children in licensed children's institutions.

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

Any public agency wishing to join the SELPA may, by written application of its governing board, join the South Orange County SELPA if (1) the public agency meets all eligibility requirements, (2) such membership is approved by all of the Boards of Education of member districts, (3) the prospective member executes and abide by all required agreements, and (4) the County Superintendent of Schools approves of such changes in the Local Plan Area. The written application must be submitted to the Governance Committee by the public agency's governing board at least 1 year prior to the date such joining is to become effective. A request by a charter school to participate as a local educational agency within South Orange County SELPA shall not be treated differently from a similar request made by a school district. The charter school would be expected to meet all requirements of the SELPA policy.

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

The Community Advisory Committee (CAC) has specific and important roles and responsibilities that are vital in the overall functioning of SOC SELPA's Special Education programs. Community Advisory Committees are commissioned by law and are a reflection of the community they serve. The Community Advisory Committee is designed to be a dynamic collaborative partnership of educators, parents, and community members. The CAC provides advisory feedback regarding the local plan. SELPA provides CAC with updates on topics such as pending legislation, SELPA plan implementation status, fiscal and logistical constraints on

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provision of services, procedural safeguards, and other appropriate subjects. Input is provided to the Superintendents and School Boards about any concerns from the CAC that are appropriate to their responsibilities. The SELPA authorizes the CAC to fulfill the responsibilities that are defined in EC 56190 – 56194, the Local Plan, and the Bylaws of the CAC (See Appendix D).

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:

• The process used to develop the Local Plan includes the cooperative involvement by a Work group of representatives of special and regular education teachers, designated instructional service providers and administrators, and with participation of the Chairperson of the Community Advisory Committee, to ensure adequate and effective participation and communication. This Work group shall meet no less than once every three years, as required by the California Department of Education. New legislation, regulations or guidelines may initiate a more frequent review of the plan. Review and approval by the County Superintendent of Schools and member LEA governing boards is necessary prior to the approval by the State Board of Education. Nothing in this section shall modify the requirements of Education Code 56836 requiring an annual budget and service plan.

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:

Saddleback Valley Unified School District shall serve as the RLA, responsible Administrative Unit (AU) for SOC SELPA. The RLA is designated to perform the functions of receipt and allocation of regionalized services funds and the provision of administrative support. Upon recommendations of the Governance Council, the RLA Board is responsible for approving the annual service and budget plans. The development of the annual service and budget plans shall coincide with the RLA budget process. The RLA shall also be responsible for the employment and supervision of SELPA staff and shall implement policies and procedures of the SOC SELPA, according to the Local Plan and Governance Council's direction. The Local Plan is approved by both member districts' governing boards and Orange County Department of Education prior to California Department of Education Submission.

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:

SOC SELPA has developed a Master Contract and Service Agreement for students placed in certified nonpublic, nonsectarian schools. When SOC SELPA districts contract with a nonpublic, nonsectarian school, SOC SELPA shall evaluate the placement of its student(s) in such schools on at least an annual basis as part of the annual IEP review. The SOC SELPA representative shall review the master contract, the individual service agreement, and the IEP to ensure that all services agreed upon and specified in the IEP are provided.

The SELPA shall maintain the following Interagency agreements on file:

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- California Children's Services
- Regional Center of Orange County
- Department of Rehabilitation

10. For multi-LEA local plans, specify:

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

The governing board of each member district is responsible for the review, approval, and adoption of the Local Plan. The RLA is responsible for adoption of the annual service and budget plan. Each member district has representation on both the Governance Council and Governance Committee which inform policy making and adoption in alignment with state and federal laws and regulations. Additionally, each district provides representatives for the Local Plan Workgroup.

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

The District Superintendents of the Saddleback Valley and Laguna Beach Unified School Districts shall serve on the Governance Council, providing cooperative leadership to the SELPA. The Chairperson of the Governance Council will be selected annually at the beginning of the fiscal year for the term of one year. The Superintendents shall be responsible to the Governing Boards of their respective LEA. The primary function of the Governance Council shall be to provide leadership for matters including, but not limited to, personnel, budget, program development, policy, and contracts.

Each Superintendent shall receive one vote for every ten special education students enrolled, based upon the prior year's Census day pupil count, and one for each school operated within the district. In order to be approved, an action item must receive ninety-four percent of the available votes. Any future members to the SELPA, including a charter school, shall be treated in the same manner as other SELPA members, and will be accorded weighted voting on the same basis. If the addition of other LEAs, charter schools, or enrollment growth results in the Laguna Beach Unified School District's votes no longer being necessary to implement decisions, the voting formula would be reassessed and amended. The following example displays the votes available for the 2020-2021 school year.

(Census 10/7/2020 Count)

# Sp Ed 1 Vote	1 Vote Total	Passing	Votes	% & #
<u>District</u>	<u>Students</u>	<u>Per 10</u>	<u>Per School</u>	
SVUSD 3476	348	34	348	92%
LBUSD 301	30	4	30	8% <u>  </u>

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

The governing board of each member district is responsible for the review and adoption of the Local Plan. Each District is responsible for the operation of special education programs. Each LEA's special education administrators are responsible for the administration and supervision of programs operated by their respective districts in a manner consistent with federal/state laws and 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:

The SVUSD's Board of Education (RLA) and Superintendent are responsible for the employment, evaluation, and discipline of the SELPA staff. It shall be the responsibility of the SELPA Governance Council Chairperson to evaluate the SELPA Director with input from the Governance Council.

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

The SELPA shall distribute funds as follows:

- LEA's Census Day Pupil Count: Local Assistance Funds, Federal Preschool Funds, Personnel Development Funds, Local Preschool Funds, Infant Funds, and competitive grant funds.
- General Education ADA: Educationally Related Mental Health Funds and AB602 State Entitlement.
- Low Incidence material and supply funds shall be distributed to the Administrative Unit and requests from districts will be processed and allocated as needed based upon the student's IEP. Low Incidence Services funds shall be distributed as needed based upon the student's IEP.
- Regionalized Services Funds will be received by the Administrative Unit and used to support regionalized services as determined by the Governance Council.

c. The operation of special education programs:

- Each LEA's special education administrators are responsible for the administration and supervision of programs operated by their respective districts consistent with federal and state laws and regulations.
- The SELPA Administrator assists with support and supervision to SVUSD's Early Childhood Center and Adult Transition Programs.



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

The Assistant Superintendent of Business Services for each LEA is responsible for oversight of special education spending and fiscal monitoring in alignment with the District's annual budget plan and maintenance of effort documentation. The SELPA Director is responsible, on an annual basis, for the appropriate use of SELPA funds allocated. The RLA business office, including the Chief Business Official, review expenditures for special education funds and are part of the District's audit process.

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:

The SELPA, through the Local Plan, has provided assurance to the State that specialized equipment and services are distributed within the SELPA in a manner that minimizes the necessity to service pupils in isolated sites and maximizes the opportunities to serve pupils in the least restrictive environment. Low incidence equipment is available at all of the member District's school sites for student's who the IEP team determines the need for specialized equipment so students are able to remain in the Least Restrictive Environment.

**Policies, Procedures, and Programs**

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

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

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes  No



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

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes  No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes  No

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

Policy/Procedure Number:

Document Title:

Document Location:

“It shall be the policy of this LEA that an IEP, or an IFSP that meets the requirements of 20 USC Section 1436 (d), is developed, implemented, reviewed, and revised for each child with a disability who requires special education and related services in accordance with 20 USC Section 1414 (d). It shall be the policy of this LEA that an IEP will be conducted on at least an annual basis to review a student’s

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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)**

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)**

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes  No

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

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that a reassessment of a child with a disability shall be conducted at

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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)**

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)**

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)**

Policy/Procedure Number:

Document Title:

Document Location:

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"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)**

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes  No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes  No

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

Policy/Procedure Number:

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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**

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)**

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)**

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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 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)**

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)**

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)**

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Policy/Procedure Number:

Policy/Procedure Title:

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)**

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)**

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)**



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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)**

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 direct instructional support provided by program specialists; and the respective roles of the RLA/AU, the SELPA administrator, and the individual LEAs associated with the SELPA. Information provided should include the reference number, document title, and the location (e.g., SELPA office) for each function:

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

Reference Number:

Document Title:

Document Location:

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Description:

2. Coordinated system of identification and assessment:

Reference Number:

Document Title:

Document Location:

Description:

3. Coordinated system of procedural safeguards:

Reference Number:

Document Title:

Document Location:

Description:

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

Reference Number:

Document Title:

Document Location:

Description:

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

Reference Number:

Document Title:

Document Location:

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Description:

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

Reference Number:

Document Title:

Document Location:

Description:

7. Coordinated system of data collection and management:

Reference Number:

Document Title:

Document Location:

Description:

8. Coordination of interagency agreements:

Reference Number:

Document Title:

Document Location:

Description:

9. Coordination of services to medical facilities:

Reference Number:

Document Title:

Document Location:

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Description:

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

Reference Number:

Document Title:

Document Location:

Description:

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

Reference Number:

Document Title:

Document Location:

Description:

12. Fiscal and logistical support of the CAC:

Reference Number:

Document Title:

Document Location:

Description:

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

Reference Number:

Document Title:

Document Location:

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Description:

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

Reference Number:

Document Title:

Document Location:

Description:

15. Assurance of full educational opportunity:

Reference Number:

Document Title:

Document Location:

Description:

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

Reference Number:

Document Title:

Document Location:

Description:

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

Reference Number:

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Document Title:

Document Location:

Description:

**Special Education Local Plan Area Services**

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

Reference Number:

Document Title:

Document Location:

Description:

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

Reference Number:

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:

Reference Number:

Document Title:

Document Location:

Description:

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:

Reference Number:	<input type="text" value="4"/>
Document Title:	<input type="text" value="SOC SELPA Local Plan Area Services (Appendix C)"/>
Document Location:	<input type="text" value="SOC SELPA Website and SOC SELPA Offices"/>
Description:	<input type="text" value="See Appendix C"/>

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

Reference Number:	<input type="text" value="5"/>
Document Title:	<input type="text" value="SOC SELPA Local Plan Area Services (Appendix C)"/>
Document Location:	<input type="text" value="SOC SELPA Website and SOC SELPA Offices"/>
Description:	<input type="text" value="See Appendix 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. (*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*)

Reference Number:	<input type="text" value="6"/>
Document Title:	<input type="text" value="SOC SELPA Local Plan Area Services (Appendix C)"/>
Document Location:	<input type="text" value="SOC SELPA Website and SOC SELPA Offices"/>



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Description:

**SOUTH ORANGE COUNTY  
SPECIAL EDUCATION LOCAL PLAN AREA  
ASSURANCES AND PROCEDURES  
APPENDIX A**

1. FREE APPROPRIATE PUBLIC EDUCATION (20 UNITED STATES CODE (USC) SECTION (§) 1412 (A) (1))

Assurance

"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:

Procedures

In order to ensure that a free, appropriate public education is available to all children with disabilities, the SOC SELPA shall provide a combination of educational and related services determined through the development and review of each child's Individualized Education Program (IEP) that meets the unique needs of the individual in such a manner as to benefit from access to educational opportunities and to prepare them for employment and independent living. Free and Appropriate Public Education (FAPE) is defined as special education and related services provided at public expense, under public supervision and direction; that meet the standards of the State of California and federal law. This includes preschool, elementary school, and secondary school education and is provided in conformity with the IEP.

FAPE shall be reasonably calculated to provide educational benefit to the student. It shall be the responsibility of each member District to monitor such benefit for each child with a disability, through both individual review and agency-wide process reviews. Evidence may include passing grades, advancement from grade to grade, academic progress, and progress towards goals and objectives.

To determine whether an IEP is reasonably calculated to provide meaningful benefit, each District should ask:

1. Is the student's IEP individualized to meet the unique needs of the child?
2. Has the student been educated in the Least Restrictive Environment (LRE)?
3. Have the student's educational services been provided in a collaborative and coordinated manner?
4. Has the student demonstrated positive academic and non-academic benefits?

The SOC SELPA and member Districts shall ensure that a student-focused and compliant process to develop IEPs for each child with a disability will be followed based on state and federal laws/regulations.

The SOC SELPA shall support member Districts and all school sites in their implementation through professional development opportunities, technical assistance, support, and monitoring. 20 USC § 1412, CFR 300.24, 300.300 (a) (3), 300.340-300.351 of Part Regulations 56205 (a), SCCR Chapter 3, Article 1, Section 3001(b)

## 2. FULL EDUCATIONAL OPPORTUNITY (20 USC § 1412 (A) (2))

### Assurance

“It shall be the policy of this SELPA 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:

### Procedures

The SOC SELPA ensures that a continuum of program options is available to meet the unique needs of students with disabilities. The IEP team's determination of appropriate services needed and curriculum options to be offered is based upon the unique needs of each student rather than the label describing the disabling condition or the availability of a specific program.

Program and placement options include but are not limited to:

- General Education Classroom: Students are educated in their school of residence within age-appropriate general education classrooms with the necessary accommodations, support, and services as indicated in their IEP to ensure progress towards goals and objectives.
- Specialized Academic Instruction: Students receive direct and/or indirect specially designed instruction from a credentialed Education Specialist. Delivery models could include but are not limited to push-in services to the general education classroom, pullout services from the general education classroom, consultation and/or collaboration with the general education teacher, co-teaching with both a general and special education teacher, and a variety of self-contained special education classrooms to meet the individual needs of all students with disabilities.
- Nonpublic, Nonsectarian School Services: Students are educated in nonpublic settings based on unique needs that cannot be met within the programs operated and available within the SELPA. Nonpublic school placements are considered only after all programs within the SELPA have been thoroughly considered and exhausted to ensure that students are educated in the least restrictive environment, as appropriate. Nonpublic placements could include but are not limited to, residential settings and day schools.
- Orange County Department of Education Programs: Students are educated in County Programs based on unique needs that cannot be met within the programs operated and available within the SELPA. County placements are considered after all programs within the SELPA have been thoroughly considered and exhausted to ensure that students are educated in the least restrictive environment, as appropriate.
- State Special Schools: Students are educated in State Special Schools (ex. California School for the Deaf and California School for the Blind) based on unique needs that cannot be met within the programs operated and available within the SELPA. State Special School placements are considered after all programs within the SELPA have been thoroughly considered and exhausted to ensure that students are educated in the least restrictive environment, as appropriate.
- Placements within other SELPAs and Districts are considered when the needs of a student cannot be met within the programs operated and available within the SOC

SELPA. Interagency agreements are developed and maintained to facilitate these placements as appropriate.

- Instruction in home, hospitals, jails, and other institutions will be provided based on the individual needs of a student and to the extent required by state and federal laws/regulations.
- Extended School Year (ESY): Students are recommended for ESY services when the IEP determines that the student's unique needs require special education and/or related services in excess of the regular academic year in order to prevent regression beyond what could be recouped within a reasonable period at the beginning of the following school year.

The IEP team based upon the student's unique needs and to ensure progress towards goals and objectives could recommend related Services. The Related Services available within the SELPA are determined annually through the Annual Service Report (see Local Plan Section E). In order to ensure the availability of Related Services, the SELPA develops and maintains Interagency Agreements with other agencies, as appropriate.

### 3. CHILD FIND (20 USC § 1412 (A) (3))

#### Assurance

"It shall be the policy of this 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 with disabilities attending private schools, regardless of the severity of their disabilities, who need 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:

#### Procedures

The SOC SELPA recognizes the need to actively seek out and evaluate residents from birth to age twenty-one who have disabilities in order to provide them with appropriate educational opportunities in accordance with state and federal laws. In addition, the SOC SELPA shall consult with appropriate representatives of private school children with disabilities on how to identify, locate, and evaluate children attending private schools. (20 USC 1412 (a) (3); 34 CFR300.451)

The SOC SELPA and member Districts shall establish a means whereby parents/guardians, teachers, appropriate professionals, and others may request an assessment for any child they believe to have a disability that significantly interferes with his/her learning. Once a request for assessment/referral for assessment has been made, each District shall engage in a problem solving process to determine the need for assessment. Each District shall identify a process to determine when an individual's academic, behavioral, and/or other difficulties may be disability related

and shall establish systematic procedures for special education program identification including referral, assessment, planning, program implementation, and ongoing review.

The District shall notify parents/guardians in writing of their rights related to identification, referral, assessment, instructional planning, implementation, and review, including the district's procedures for initiating a referral for assessment to identify individuals who may need special education services.  
(EC 56301)

Public notices are provided in English, Spanish, and other primary languages of families in the community, as appropriate. Parents and service providers are also encouraged to inform the community of the availability of evaluations and special education services. In addition to the public notice in local newspapers, a notice regarding the process for referring children with suspected disabilities for evaluation is sent to each private school annually. The private schools are encouraged to post and send this notice to parents of children enrolled in their schools. Parents and/or private school representatives may refer children for special education evaluations through their local schools, as appropriate.

In collaboration with Orange County Regional Center, Infant and Child Find procedures have been developed through active networking with agencies representing education, health (hospitals, public health services, and physicians), developmental services, social services, and parent groups. School-age students are referred upon request from parents, staff, or district personnel through the Student Success Team (SST) process.

Vision and hearing screening activities are completed on all students within the district in accordance with state guidelines. District and statewide testing programs may provide information to assist with the Child Find process. Intervention procedures are also implemented for students not enrolled in public school programs residing within the district, including infants, preschoolers, and private school attendees. This process assures that students who may need special education are located and identified in a timely manner.

Administrators at the district office and school sites are knowledgeable about the services available within the SELPA. Site administrators are regularly informed of changes in procedures related to special education.

#### *Identification and Referral Procedures*

Referral for evaluations may be initiated by any parent/guardian, teacher, administrator, support personnel, outside agency, or individual who knows that a

student may need special education services. Referrals will be processed systematically, and include the written Notice of Procedural Safeguards for parents. If parents believe their child has a disability that requires special education services, they may submit a written request for evaluation. When a verbal referral is made, the staff of the school, District, SOC SELPA, or the County Office of Education shall offer assistance to the individual in making a request in writing. Interpreters are provided to assist parents in the SST process to discuss their concerns, possible interventions, and areas of suspected disability to be considered in developing an evaluation plan. Families of children under the age of three with identified or suspected disabilities are referred to the Orange County Regional Center.

Initial referrals for preschool children are processed through each member District's Preschool Assessment Team. Assessment team staff collect information from the child's parent/guardian and, when appropriate, preschool staff/teacher. The team meeting provides the opportunity to discuss the child's growth and development relative to expectations, intervention strategies, and the child's potential need for evaluations to determine eligibility for special education.

The process for referring school-age students for special education services begins at the child's school of residence. An individual with a concern about a student's progress may request a meeting with the SST. Forms to request an SST meeting are available at each school site. The SST is a general education function and may be composed of the principal or designee, general education staff member, the student's teacher, and other categorical staff. The team may also include special education staff such as the school psychologist, speech pathologist, and/or education specialist. The SST Chair sends notification of SST meetings to the appropriate participants, including parents, and facilitates the meeting. If the SST finds that the student's needs cannot be appropriately met with modifications of the general program, a referral for special education evaluation is considered. At the time of referral, parents are given a copy of the Notice of Procedural Safeguards.

Referral procedures are coordinated with other school site programs to ensure that students in all regular and supplemental programs have access to needed special education services. Referrals from private schools, private preschools, and other agencies are processed in the same manner as referrals from public schools. School personnel assist in the preparation of referral forms and provide orientation to persons making referrals. Private schools must show that accommodations of their programs have been attempted and the results of those accommodations. The modifications attempted may be verified by assessment team members through personal interviews with private school teachers and parents.

A completed referral form includes information regarding the reasons for the referral, the results of modifications of the student's general school program, a review of academic performance, an indication of health status, and a checklist of student behaviors, which provide the basis for the referral.

The data reported at the time of referral by the person(s) making the referral indicates the suspected areas of disability to be considered by the assessment team and are considered in developing the evaluation plan. Referrals are processed for all potential special education students in accordance with state-mandated procedures and timelines.

#### *Utilization of General Education*

The Student Success Team (SST) process is a general education function. The SST may recommend the implementation of accommodations of the general education program before referring students for a special education evaluation. The SST may recommend additional instruction and/or behavioral intervention strategies, utilization of other categorical programs, provide various interventions based on need, recommend assessment, refer to Section 504 of the Rehabilitation Act of 1973, and/or make other recommendations.

The SST must consider if the student's needs can be met with accommodation(s) to the general education instructional program. A student may be referred for special education instruction and services only after the resources of the general education program have been considered and utilized, as appropriate.

If there is a suspected area of disability, a proposed assessment plan is developed and shared with parents, and assessments/evaluations are conducted only after the parent has signed the assessment plan. Students in need of accommodations in the general education classroom under Section 504 of the Rehabilitation Act of 1973 may be recommended for assessment to determine the need for an accommodation plan and its protections. Students needing additional evaluation may be referred for an appropriate multi-disciplinary assessment to be conducted by special education staff.

20 USC § 1412 (a) (3) (A-B), 34 CFR Sections 300.125 56205 (a)

#### 4. INDIVIDUALIZED EDUCATION PROGRAM (IEP) AND INDIVIDUALIZED FAMILY SERVICE PLAN (IFSP) (20 USC § 1412 (A) (4))

##### Assurance

"It shall be the policy of the SOC SELPA that an Individualized Education Program (IEP) or an Individualized Family Service Plan (IFSP) that meets the requirements of 20 USC § 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 § 1414 (d). It shall be the policy of this 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." The policy is adopted by the SELPA as stated:

#### Procedures

The SOC SELPA provides a Free Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE) to all students residing within the SELPA. The SELPA provides a full range of special education programs to facilitate services for students with disabilities in a supportive, cooperative, and mutually respectful environment. The appropriate special education placement in the LRE, for each child with a disability, is determined by the IEP team. The IEP team is comprised of the child's parents, school staff, and other professionals with knowledge or expertise regarding the child.

The IEP team shall consider the educational and nonacademic benefits of placing the student in a regular class and shall determine what support services would be needed in order to support this placement. All placement decisions should promote maximum interaction between students with disabilities and their typically developing peers, in a manner that is appropriate to the needs of both. Special education services shall be provided when the IEP team determines that the student's individual needs cannot be appropriately met in the general education setting without support.

Parents/guardians shall have the right to approve the student's placement in a special education program, and written parental consent shall be obtained before any such placement is made unless a due process hearing officer authorizes the placement. Once an IEP team has determined an appropriate placement with parent/guardian consent, that placement remains in effect unless modified through the IEP process, mutual agreement, or a due process hearing officer's order.

#### *Individualized Educational Program (IEP) Procedures*

The District will initiate and conduct meetings for the purpose of developing, reviewing, and/or revising the IEP of each student with a disability. The description of IEP development included in EC Sections 56340-7 and 34 CFR 300.340-350 are hereby included.

#### *IEP Timelines*

An IEP will be developed (a) within 30 days of an interim placement from outside the SELPA, (b) within 60 days [not including days between sessions or terms, or vacation of more than five days in length] of the parent's/guardian's consent to the Assessment Plan is determined to be eligible, and (c) at least annually. Timelines for the development of an IEP are as follows:

- a. An IEP required as a result of initial assessment shall be developed within 60 calendar days of receipt of the parent's signed consent for assessment [not including days between school sessions or terms, or vacation days in excess of five consecutive days].
- b. An IEP shall be developed within 30 days of the beginning of the subsequent school year for each student for whom written consent for assessment is received within 30 days prior to the end of the school year.

- c. A meeting of the IEP team shall be held within 30 days of a parent's written request, not including days between school sessions or terms, or vacation days in excess of five consecutive days.
- d. The IEP meeting will always include a parent (or surrogate parent) unless the parent is unwilling/unable to attend and the district has maintained a record of attempts to include the parent at a mutually agreeable time and location. Additionally, an IEP team meeting can be convened if the parent agrees for the meeting to be convened without their attendance.
- e. The district encourages meaningful participation of parents at IEP meetings by scheduling meetings at times convenient for parents within reason, providing interpreters for parents who are non-English speaking or deaf/hard of hearing, encouraging parents to send a representative in their absence, conducting teleconferences when appropriate, etc.

Parents are notified in advance of a need for an IEP team meeting. Every attempt is made to schedule a student's IEP team meeting at a time that is mutually agreeable for the parent/guardian and school staff. Staff will utilize a variety of communication modes, offer alternative meeting dates and locations, and/or suggest that the parent send a representative if he/she is unable to attend. Notification forms will include the purpose, time, and location of the meeting and the staff who will attend.

*Required IEP Participants*

- a. The parent(s) of the child;
- b. At least one regular education teacher or general education representative of the child (if the child is, or maybe, participating in the regular education environment);
- c. At least one special education teacher of the child, or if appropriate, at least one special education service provider of the child;
- d. A representative of the public agency who is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities and who is knowledgeable about the availability of resources in the public agency;
- e. An individual who can interpret the instructional implications of assessment results, who may be a member of the team described in a-d;
- f. At the discretion of the parent or the agency, other individuals who have the knowledge or special expertise regarding the child, including related services personnel as appropriate;
- g. The child, if appropriate.

*Excusal of IEP Participants*

An IEP team member could be excused from a meeting only when mutually agreeable and with the written consent of the parent. The excused IEP team member will provide prior written input to the parent prior to the IEP meeting if his/her area of expertise is to be discussed.

IDEA 2004 allows for amendments to the IEP, which may be made with a District Administrative representative and the parent, so long as all members of the IEP team are notified of any change(s).

As appropriate, representatives of other agencies are invited to participate in IEP meetings that are held to discuss transition services. In addition to written invitations and telephone calls, other efforts are made to encourage their participation. If an agency representative does not attend the IEP meeting where transition services are discussed, a district designee will contact the agency representative if appropriate to coordinate transition services.

#### *Purpose of the IEP Meeting*

The IEP team meets when:

- a. The student has received an assessment for special education;
- b. The student's special education placement is to be initiated, changed, or discontinued;
- c. The student's progress is less than anticipated;
- d. A parent or teacher requests a meeting to develop, review, or revise the IEP;
- e. It has been one year since the previous IEP was developed. The purpose of the annual meeting is to review the student's annual achievement, the appropriateness of the designated services, and to determine ongoing needs and supports.

#### *At the IEP Meeting*

To facilitate the meeting, districts may arrange for interpreters for parents who are hearing impaired or whose primary language is not English. Prior IEP goals and objectives are reviewed to determine to what degree they were met. The discussion of present levels of performance includes not only progress on goals but can also include results of standardized achievement test scores, classroom performance, observations, and parent and teacher reports. The IEP process enables the team to develop a completed IEP which shows a direct relationship among the levels of performance and the goals and objectives, and to identify the specific services required to enable the student to advance appropriately toward attaining the annual goals, to what extent the student should be involved and progress in the general curriculum, to participate in extracurricular or other nonacademic activities, and to be educated and participate with children with disabilities and children without disabilities in these activities, as appropriate.

The IEP team refers to established eligibility standards as set forth in Title 5 CCR 3030 (a- j) as appropriate. Eligibility for special education is written on each IEP developed by the team.

At the IEP meeting, introductions are made, and the purpose and format of the meeting are described. Each required component of the IEP is discussed by the team and recorded on the form including:

- a. The strengths, interests, and learning preferences of the student;
- b. The child's present levels of educational and social functioning, including the results of the initial or most recent assessment of the child and/or the results of the child's performance on any general State or district-wide assessment programs as appropriate;
- c. Annual goals and when appropriate, short-term objectives or benchmarks related to meeting the child's needs that result from the disability to enable the child to be involved in and progress in the general curriculum or to meet each of the child's other educational needs that result from the disability;
- d. The concerns of the parent relevant to the child's educational progress;
- e. A description of how the child's disability affects involvement and progress in the general curriculum
- f. An explanation of the extent, if any, to which the child will not participate with children without disabilities in the regular class and extracurricular activities;
- g. A statement of the supplemental aids and services to be provided to or on behalf of the student;
- h. A statement of program accommodations, modifications, or supports for school personnel that are required for the child to advance appropriately toward attaining the annual goals specified in the IEP;
- i. A determination of the student's need for assistive technology devices and services or low incidence services, equipment, and materials to meet the educational goals and objectives;
- j. A statement of how the child's progress toward the annual goals will be measured and how the parents will be informed of their child's progress;
- k. If the child is Limited English Proficient, a description of how his or her level of English proficiency, related to the IEP, will be addressed;
- l. If the child is deaf or hard of hearing, a description of specialized communication strategies if needed, and opportunities for direct instruction and communication with peers and adults in the student's language and mode of communication;
- m. If the child's behavior impedes learning, a description of positive behavior interventions, strategies, and supports to address the behavior, including a Behavior Intervention Plan, if required;
- n. By the time a student reaches the age of 16, a statement of needed transition services for the student, including, if appropriate, a statement of the interagency responsibilities or needed linkages;
- o. For students age 17 or older, verification that the student has been apprised of his or her rights at the age of majority;
- p. A statement of the special education and related services to be provided to the child, including the projected date for beginning the services and modifications, anticipated frequency, location, and duration of those services and modifications;

- q. Individual accommodations and/or embedded supports in the administration of State or district-wide assessments of pupil achievement, or a statement of why that assessment is not appropriate for the child, designating an alternate assessment as the means to measure the student's progress;
- r. The determination of the need for Extended School Year services, participation in Workability, and specialized transportation services;
- s. A review of the Notification of Procedural Safeguards; and
- t. Parental consent to all or part of the IEP.

A copy of the completed IEP is provided to the parent(s). Upon request, the IEP will be translated into the primary language of the parent, unless it is not feasible to do so. Case managers are responsible for informing all appropriate IEP team members of the IEP components and their respective roles immediately following parent consent to the IEP. Service providers from other agencies who provide instruction or a related service will be provided a copy of the IEP. IEPs are maintained in accordance with state and federal pupil record confidentiality laws.

20 USC §1412 (a) (4), 1414(d), 1436(d), CFR 300.344 (c) (1) (ii), 300.345 (a) 56205(a), 56195.7(a), 56195.8(a) (3)

## 5. LEAST RESTRICTIVE ENVIRONMENT (20 USC § 1412 (A) (5))

### Assurance

"It shall be the policy of the SOC 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 classes, 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 regular classes with the use of supplemental aids and services cannot be achieved satisfactorily." The policy is adopted by the SELPA as stated:

### Procedures

It is the intent of the SOC SELPA to serve students with disabilities in the least restrictive environment consistent with their academic and non-academic needs. Students with disabilities shall receive their education in chronologically age-appropriate general education classrooms at neighborhood school sites unless there is a compelling educational reason why this cannot be accomplished. Close cooperation of all school personnel is encouraged by district and site administrators to facilitate opportunities for social interaction between individuals with and without disabilities.

The SOC SELPA provides a full range of program options to meet students' educational needs in the least restrictive environment. This includes District programs, County programs, regionalized services, state schools, and non-public schools. The determination of the least restrictive environment is based on the IEP team's consideration of each student's unique needs, including present levels of

performance, goals and objectives, and the configuration of special education support required to implement the IEP.

Removal of students from regular classes occurs only when the nature of the student's disability is such that education in a regular class with the use of supplementary aides and services cannot be achieved satisfactorily. To the maximum extent appropriate, individuals with exceptional needs are educated and participate with, students without disabilities in academic, non-academic, and extracurricular activities. Students attend their school of residence unless their IEP requires other arrangements. If other arrangements are determined necessary, students are served in the appropriate school based upon the District developed feeder pattern.

Special education services and supports will be provided for students with disabilities to ensure maximum interaction with their peers in the regular education environment as appropriate for the student's individual needs. The IEP team will make decisions regarding the least restrictive environment for each child on at least an annual basis. Individuals with exceptional needs shall have equal access to all activities, programs, and facilities in the general school environment. Participation in activities will be determined based on the individual needs of the student.

The location of specialized academic instruction classes and other special education support programs will be included in decisions regarding facilities planning. District commitments to ensure appropriate size, configuration and location for special classroom space on regular school campuses will continue in order to avoid frequent or disruptive program relocations. Ramps, handrails, and adapted equipment are provided as necessary to ensure access and safety for students with disabilities.

Continuity in the assignment of appropriate classroom space for the provision of special education services allows students with disabilities the opportunity to develop relationships with typically developing peers, and timely access to general education programs will be prioritized for all students.

Programs are available to assist typically developing students in understanding, supporting, and interacting with children with disabilities. Staff development, collaborative activities, and consultation by special education staff are provided to regular education staff to assist them in addressing the unique needs of students with disabilities.

6. PROCEDURAL SAFEGUARDS (20 USC § 1412 (A) (6))

Assurance

“It shall be the policy of the SOC SELPA 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:

Procedures

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

If the native language or other mode of communication of the parent/guardian is other than English, the notice will be translated or interpreted by other means to the parent/guardian in his/her native language or other mode of communication, to ensure the parent/guardian understands the contents of the notice to the greatest extent possible.

*Procedural Safeguards Notice*

A procedural safeguards notice shall be made available to parents/guardians of students with a disability annually and upon (20 USC § 1415 (d))

1. Initial referral for evaluation,
2. Reevaluation of the student, and
3. Registration of a complaint.

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

In addition, this notice shall include the procedural safeguards relating to independent educational evaluation; prior written notice; parental consent; access to educational records; opportunity to present complaints; the student's placement while due process proceedings are pending; procedures for students who are subject to placement in an interim alternative educational setting; requirements for unilateral placement by parent/guardians of students in private schools at public expense; mediation; due process hearings; state-level appeals; civil action; and attorney's fees.

(20 USC § 1415 (d); 34 CFR 300.504)

(See Special Education Rights of Parents and Children–October 2000) CDE

Publication 20 USC § 1412 (a) (6) 20 USC § 1415 56205 (a), 56195.7 (a), 56195.8 (a) (3)

7. INITIAL AND SUBSEQUENT TRIENNIAL EVALUATIONS (20 USC § 1412 (A) (7))

Assurance

“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:

Procedures

*Annual Assessments*

The SOC SELPA procedures for IEP Parent Notification and Participation ensure that initial and subsequent triennial evaluations are completed within required timelines. The student’s IEP is scheduled for review by the IEP team at least once a year. IEP meetings to review assessment will take place within 60 calendar days of receipt of the signed assessment plan, not including official school breaks exceeding 5 days. In addition, a special review of the placement may be requested at any time by:

- Any staff member who provides services to, or who knows the student and has a specific concern;
- The student’s parent/guardian;
- A student whose due process rights were transferred at the age of 18.

Upon receipt of a written request, for an IEP meeting, the administrative designee or case carrier shall schedule a review meeting within 30 calendar days, not exceeding official school breaks of more than 5 days.

Parents and members of the IEP team must be notified by established notification procedures. The IEP team may:

- Review student progress on goals and objectives.
- Modify the IEP by recommending a more intensive program, less intensive program, or by adding or discontinuing specialized services.
- Recommend the continuation of the current program.

*Triennial Assessments*

All reevaluations are conducted within three calendar years of the last assessment or more frequently if requested by the student’s parent or teacher. The reevaluation determines if the student continues to have a disability and if he/she continues to require special education services. It also determines how he/she is involved in and is progressing in the general education curriculum. Assessment and IEP meetings shall be completed within 60 calendar days upon receipt of the signed assessment plan, not including official school breaks in excess of 5 days.

The SELPA utilizes a Management Information System, which tracks student IEPs and the due dates for annual and triennial reviews to ensure that timelines are met.



### *Assessment Plan*

For all individuals referred for special education services with an area of suspected disability, an initial Assessment Plan is developed within 15 days of receipt of the referral. If the referral is received with 10 days or fewer to the end of the school year, the assessment plan will be due to the parent within the first 10 days of the next school year. The assessment plan is based upon the intake interview information referral question, Student Success Team findings/recommendations, and consideration of the parent's request for evaluation. The Notice of Procedural Safeguards is included. An Assessment Plan is developed for all initial and triennial evaluations or any time an individual assessment is conducted. The Assessment Plan contains the following:

- a. Reason for the proposed assessment, other options considered, interventions and modifications attempted, and description of evaluation procedures relevant to the proposed action;
- b. Description of the type of evaluation, and procedures;
- c. Assessment personnel identified by title and evaluation area;
- d. The student's primary language and English language proficiency status;
- e. A statement that tests and other evaluation materials will be provided and administered in the student's primary language or other mode of communication, and if not, the reasons why it is clearly not feasible, including any available independent evaluations;
- f. Results of recent evaluations, including any available independent evaluations;
- g. Information the parent requests to be considered;
- h. The necessity for alternative modes of assessment, if appropriate;
- i. Parent consent and date.

The proposed Assessment Plan is provided in the primary language of the parent/guardian unless to do so is not feasible to do so and written in language easily understood by the general population. The parents have 15 days from receipt of the proposed Assessment Plan to arrive at a decision. Written consent of the parent or guardian is obtained prior to conducting the assessment.

The assessment will be completed within 60 days of receipt of the parent's/guardian's written consent (not including days between the student's regular school sessions or terms or days of school vacation in excess of five school days from the date of receipt of referral).

### *Assessment Process*

Evaluations are conducted by qualified multi-disciplinary team members, including at least one teacher or specialist knowledgeable in the area of the suspected disability. Attention is given to the student's need for specialized services, materials, and equipment when the low incidence disabilities of visual impairment, deafness, hard of hearing, deaf-blindness, or orthopedic impairment are suspected. Students assessed for initial and three-year evaluations have a vision and hearing screening unless parental permission is denied.

Assessment personnel are qualified and appropriately trained to administer and interpret test results and, when necessary, are knowledgeable and understanding of cultural and ethnic backgrounds and competent in both the oral and written skills of English Language Learners. When appropriate, an interpreter is used and reported in the evaluation.

Individuals are assessed in their primary language or other mode of communication unless it is not feasible to do so. All areas of suspected disability are evaluated. Tests and materials used for evaluation are selected and administered so as not to be racially, culturally, or sexually discriminatory and to reflect the individual's skills and aptitude levels. The evaluation process ensures that no single procedure or evaluation is the sole criterion for determining placement. The staff works collaboratively to ensure that a student with a suspected low-incidence disability is assessed by qualified and trained personnel, in all areas related to the suspected disability, consistent with state guidelines.

#### *Assessment Report*

Assessment personnel prepares (a) written report(s) of the results of each evaluation. Each report contains the following required components:

- a. Whether the pupil may need special education and related services.
- b. The basis for making the determination.
- c. The relevant behavior noted during the observation of the pupil in an appropriate setting.
- d. The relationship of that behavior to the pupil's academic and social functioning.
- e. The educationally relevant health and development, and medical findings if any.
- f. For pupils with learning disabilities, whether there is such a discrepancy between achievement and ability that it cannot be corrected without special education and related services.
- g. A determination concerning the effects of environmental, cultural, or economic disadvantage, where appropriate.
- h. The need for specialized services, materials, and equipment for pupils with low incidence disabilities, consistent with guidelines established pursuant to Section 56136.

For a student with a suspected learning disability, the members of the IEP team shall document the determination of eligibility including:

#### *Independent Educational Evaluations*

If a parent disagrees with an evaluation conducted by the District, the parent may inform the District in writing of the disagreement and request an independent educational evaluation. Upon receipt of a parent request for an independent educational evaluation (IEE), the district must either initiate a due process hearing to show that its evaluation is appropriate or provide the parents with information about

how an IEE may be obtained at public expense and the applicable criteria for the evaluation. An evaluator must not be a regular employee of the district responsible for the education of the child, must conduct evaluations in accordance with all requirements of federal and state law, and be appropriately credentialed and/or licensed to conduct the evaluation. If the parent declines to use the independent evaluators contracted by the district, the parent may retain another individual to conduct the evaluation at public expense if the evaluator meets the agency criteria. If the parent wishes to use an evaluator that does not meet the agency criteria, the parent may elect to fund the IEE at private expense and the results of the assessment will be considered by the IEP team. The parent may also elect to demonstrate, in writing, the unique circumstances that warrant the need to choose an assessor that does not meet the criteria of the district but should be provided at public expense. 20 USC § 1412 (a) (7), 1414 (A-C), 34 CFR 300.128, 300.220 56205 (a), 56320-333, 56380(a), CCR Title 5, 3021-3029

8. CONFIDENTIALITY (20 USC § 1412 (A) (8))

Assurance

"It shall be the policy of this 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, non-academic programs, and services available to non-disabled children." The policy is adopted by the SELPA as stated:

Procedures

"Confidentiality" means the restriction of access to verbal and written communications, including clinical, medical and educational records, to appropriate parties under Section 99.3 of Title 45 of the code of Federal Regulations, Section 300.560 et seq. of Title 34 of the Code of Federal Regulations, Sections 827, 4514, 5328, and 10850 of the Welfare and Institutions Code, Section 2890 of Title 17 of the California Code of Regulations, and Sections 49060 through 49079 of the Education Code. The SOC SELPA and member Districts will ensure that all student records and identifiable information is stored in a secure manner to maintain confidentiality for all students receiving special education and/or related services.

9. PART C TO B, TRANSITION (20 USC § 1412 (A) (9))

Assurance

"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:

Procedures

The SOC SELPA and member Districts will develop procedures to ensure that IEP teams meet no later than the third birthday for any child that received services through

Part C of IDEA in order to allow for a smooth transition and determination of eligibility for special education and/or related services under Part B of IDEA.

For infants previously identified as candidates for special education services under Part C, the transition process to determine eligibility for Part B begins at 2.6 years when the Regional Center of Orange County discusses a transition plan with the family and makes the referral to the SELPA. The SELPA will review all relevant information in consultation with the family to develop an assessment plan. The evaluation is conducted and the results are reviewed to determine eligibility for Part B before the child's third birthday to ensure a smooth transition of services and prevent any delay (see Appendix C).

#### 10. PRIVATE SCHOOLS (20 USC § 1412 (A) (10))

##### Assurance

"It shall be the policy of the SOC 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 a private school by their parents." The policy is adopted by the SELPA as stated:

##### Procedures

The SOC SELPA policy ensures that the SOC SELPA locates, identifies, and evaluates all children who may be eligible for special education and related services. Child-find activities for parentally placed private school children are similar to those activities undertaken for pupils in public schools.

IDEA 2004 determined that the District where the private school is located is responsible for conducting child find activities for children enrolled by their parents in private schools. All Districts in Orange County have signed a written agreement that states that the District of residence of the private school student will be responsible for the evaluation and determination of eligibility for special education services.

For private school children who are parentally placed, there is no individual right to receive some or all of the special education and related services that the child would receive if enrolled in a public school. The SELPA determines the scope and type of services after consultation with private school representatives. A proportionate share of the SELPA's special education federal funds is utilized to provide services to parentally placed private school students with disabilities.

#### 11. LOCAL COMPLIANCE ASSURANCES (20 USC § 1412 (A) (11))

##### Assurance

"It shall be the policy of the SOC 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,

the Federal Rehabilitation Act of 1973, Section 504 of Public Law and the provisions of the California Education Code, Part 30.” The policy is adopted by the SELPA as stated:

Procedures

The SOC SELPA follows State and Federal guidelines in the assessment, identification, and provision of services to students with disabilities.

12. INTERAGENCY AGREEMENTS (20 USC § 1412 (A) (12))

Assurance

“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 FAPE are provided, including the continuation of services during an interagency dispute resolution process.” The policy is adopted by the SELPA as stated:

Procedures

The SOC SELPA participates with the Orange County Department of Education and other agencies in the development and maintenance of Interagency Agreements to ensure that all eligible special education students receive appropriate services through designated agencies, as outlined in their Individualized Education Programs.

13. GOVERNANCE (20 USC § 1412 (A) (13))

Assurance

“It shall be the policy of the SOC SELPA and member LEAs 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:

Procedures

The purpose of the SOC SELPA is to provide quality special education and related services to all students eligible for services residing within the boundaries of either district. In adopting the Local Plan, the Saddleback Valley and Laguna Beach Unified School Districts agree to carry out the duties and responsibilities assigned within the plan. The Saddleback Valley Unified School District is designated as the Responsible Local Agency (RLA) and is, therefore, responsible for the receipt and administration of funds for SELPA use and the provision of administrative support and the coordination of the implementation of the Local Plan. The Saddleback Valley Unified School District's Board of Education and Superintendent shall serve as the Responsible Local Administrative Agency (RLA) for the SELPA with responsibilities including:

- The RLA is designated to perform such functions as receipt and allocation of regionalized services funds, and the provision of administrative support.
- The RLA shall be responsible for the employment, evaluation, and discipline of the SELPA staff unless otherwise determined through a Memorandum of Understanding.

It shall be the responsibility of the SELPA Governance Board Chairperson to evaluate the SELPA Director with input from the Governance Committee.

- Upon recommendations of the Governance Committee, the RLA Board of Education is responsible for approving the annual service and budget plans. The development of the annual service and budget plans shall coincide with the RLA budget process.
- The RLA shall implement policies and procedures for special education programs and services provided in the SOC SELPA, according to the Local Plan and Governance Committee's direction. Such policies and procedures shall include, but not be limited to, all areas specified in applicable sections of the Education Code.

#### 14. PERSONNEL QUALIFICATIONS (20 USC § 1412 (A) (14))

##### Assurance

"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:

##### Procedures

The SOC SELPA shall take steps to ensure that there is an adequate supply of qualified and adequately prepared special education, general education, and related services personnel. Such steps shall include, but not be limited to, the following:

1. Widespread recruitment of teachers and support personnel;
2. Collaboration with surrounding colleges, in their teacher education programs, design, and supervision of student teachers/interns;
3. Ongoing staff development activities for special education administrators, teachers, and support staff;
4. Ongoing staff development activities for general education administrators, teachers, and support staff.; and
5. Effective evaluation of special education staff to ensure the utilization of research-based interventions and methodologies.

#### 15. PERFORMANCE GOALS AND INDICATORS (20 USC § 1412 (A) (15))

##### Assurance

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

##### Procedures

A review of the SELPA and/or District performance goals and indicators is made on at least an annual basis to determine priorities for program improvement. The SELPA and member LEAs provide required data and reports to CDE, as necessary.

16. PARTICIPATION IN ASSESSMENTS (20 USC § 1412 (A) (16))

Assurance

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

Procedure

Students with disabilities are included in general state and district-wide assessment programs, with appropriate accommodations and/or supports where necessary. Each student's IEP team shall determine, at least on an annual basis, the individual accommodations and/or supports in the administration of state or district-wide assessments necessary to minimize the impact of the student's disability on test performance. If the IEP team determines that the child will not participate in a particular state or district-wide assessment of student achievement, or part of an assessment, the IEP shall include a statement of why that assessment is not appropriate for the child and how the child will be assessed.

Students with significant cognitive disabilities should participate in the state alternate assessment system, in accordance with state guidelines for the determination of appropriate assessment participation. Such determination is made by the student's IEP team.

17. SUPPLEMENTATION OF STATE, LOCAL AND FEDERAL FUNDS (20 USC § 1412 (A) (17))

Assurance

"It shall be the policy of the SOC 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 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:

Procedure:

Students with disabilities are first and foremost general education students, and thus their base funding is the same as any other student. Part B funds are used to supplement the base funding and provide those specialized supports and services outlined in a student's Individual Education Plan.

18. MAINTENANCE OF EFFORT (20 USC § 1412 (A) (18))

Assurance

"It shall be the policy of the SOC 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." The policy is adopted by the SELPA as stated:

Procedure:

Both member LEAs in the SOC SELPA shall continue to fund services and programming to support their Students with Disabilities to the same levels in past years. The Responsible Local Agency shall demonstrate this commitment to spend in the Subsequent Year Tracking Form (SYT) that is submitted to the California Department of Education in November of every year, their commitment to spending the same amount of state and local funding, referred to as the "Compliance standard."

19. PUBLIC PARTICIPATION (20 USC § 1412 (A) (19))

Assurance

"It shall be the policy of the SOC SELPA 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 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:

Procedure

Members of the public, including parents or guardians of students with disabilities who are receiving services under the Local Plan, may address questions or concerns at regularly scheduled meetings according to Brown Act requirements to receive and take action on information or business related to special education and the administration of the SOC SELPA.

20. SUSPENSION/EXPULSION (20 USC § 1412 (A) (22))

Assurance

"The SOC SELPA assures that data on suspension and expulsion rates will be provided in a manner prescribed by the CDE. When indicated by data analysis, the SELPA and member LEAs assure 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:

Procedures

California has extensive law with regard to suspension and expulsion. Educational opportunities are provided to all expelled students. The Administrator of each school is responsible for keeping detailed records and reporting each incident to the district and board of education. The district, in turn, is responsible to report annually to the California Department of Education (CDE) data on the numbers of students recommended for expulsion, the grounds for the recommendation, the action is taken, the type of referral for education, and the disposition of the pupil at the end of the expulsion period. The CDE analyzes the data to determine if an LEA has a significant discrepancy from state averages. Failure to submit a timely report requires the State Superintendent to withhold further apportionment of funds to the LEA. The California Code of Regulations requires LEAs to report annually to the CDE all events requiring an "emergency behavioral report" indicating a student with a disability has had an event of serious behavior the nature of which could be grounds for suspension or expulsion. The Department is required annually to provide the data from these reports to the Commission on Special Education.



The Special Education Division is organized into geographic regions for providing focused monitoring and technical assistance and for the purpose of maintaining a close relationship with the LEAs and the performance of their students with disabilities. A database of performance indicators is kept and analysis is made on an ongoing basis to provide assistance whenever performance indicators indicate a potential problem. In this mode, excessive suspension and expulsion rates will trigger action for CDE and SOC SELPA staff to work towards a resolution to the problem. Such an indicator may also target the LEA for an on-site review if a timely and satisfactory resolution has not been implemented.

21. ACCESS TO INSTRUCTIONAL MATERIALS (20 USC § 1412 (A) (23))

Assurance

“It shall be the policy of the SOC SELPA to provide instructional materials to students who are blind 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:

Procedure:

Students with disabilities will have access to the adopted curriculum and basic instructional materials in the core subject areas. Sufficient quantities of any specialized instructional materials required to support students with disabilities must also be accessible in those same core subject areas.

22. OVER IDENTIFICATION AND DISPROPORTIONALITY (20 USC § 1412 (A) (24))

Assurance

“It shall be the policy of the SOC SELPA to prevent the inappropriate disproportionate representation by race and ethnicity of students with disabilities.” The policy is adopted by the SELPA as stated:

Procedure:

The SOC SELPA and member LEAs regularly provide training on assessment methodology, data governance, and root causes for equity issues. Data is gathered and monitored quarterly to engage personnel in conversations related to equity.

23. PROHIBITION ON MANDATORY MEDICINE (20 USC § 1412 (A) (25))

Assurance

“It shall be the policy of the SOC SELPA to prohibit school personnel from requiring a student to obtain a prescription for a substance covered by the Controlled Substance 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:

Procedure:

An annual review of the federal policy regarding “Prohibition on Mandatory Medicine” is provided to key personnel involved in IEP meetings.

**SOUTH ORANGE COUNTY  
SPECIAL EDUCATION LOCAL PLAN AREA  
ADMINISTRATION OF REGIONALIZED OPERATIONS AND SERVICES  
APPENDIX B**

**1. Coordination of the SELPA and the implementation of the Local Plan:**

**Role of the RLA:** The RLA receives and maintains accountability for fiscal and accounting records in accordance with federal and state requirements and submitting reports to appropriate authorities, as well as distributing funds to member Districts in accordance with the SELPA allocation plan, at the direction of the SELPA office.

**Role of the SELPA Administrator:** The SELPA Administrator will ensure that the local plan is implemented and will make recommendations to the Governance Council when revisions are needed. The SELPA Administrator will also facilitate in the development and approval of the SELPA's policies and procedures necessary to implement the local plan.

**Role of the LEAs:** Ensure a full continuum of services/supports are available in order to provide a free and appropriate public education to all students with disabilities for whom they are responsible. Review and approve policies/procedures to implement the local plan.

**Role of the SELPA Program Specialist:** SELPA Program Specialist works under the direction of the SELPA Administrator to support the coordination and implementation of the local plan to regionalized programs and member LEAs as requested.

**2. Coordinated system of identification and assessment:**

**Role of the RLA:** Not applicable.

**Role of the SELPA Administrator:** To ensure that the County and LEA conduct child find activities, provide technical support to LEAs, provide guidance to parents as needed, and ensure that appropriate interagency agreements are in place to support those activities.

**Role of the LEAs:** Conduct child find activities, and identify and assess all students for whom they are responsible.

**Role of the SELPA Program Specialist:** Support the assessment and placement of newly identified students in regionalized programs.

### **3. Coordinated system of procedural safeguards:**

**Role of the RLA:** Not applicable.

**Role of the SELPA Administrator:** Utilizes a conflict resolution process to assist LEAs and parents to resolve conflicts quickly, and assist with complaints (from CDE). Assist parents with information and guidance on their rights and procedural safeguards. Assist LEAs in the areas of assessment, identification and placement of students with disabilities.

**Role of the LEAs:** Ensures that procedural safeguards are understood by parents and implemented. Utilizes alternative dispute resolution processes whenever possible and applicable.

**Role of the SELPA Program Specialist:** Assures that procedural safeguards are in place by providing guidance and technical assistance on forms and procedures in the areas related to assessment, identification, and placement.

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

**Role of the RLA:** Not applicable.

**Role of the SELPA Administrator:** Gather input from member LEAs regarding staff development needs and parent trainings/educational needs. Coordinate and provide trainings and supports as requested or deemed appropriate for each member LEA.

**Role of the LEAs:** Determine both staff development and parent/guardian educational needs based on local issues. (LEAs operating Regionalized Programs will ensure program staff receive appropriate professional development).

**Role of the SELPA Program Specialist:** Support staff development, parent education, and program development using research-based methods and approaches within the SELPA.

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

**Role of the RLA:** Not applicable.

**Role of the SELPA Administrator:** Provide technical assistance and staff development as requested or needed by member LEAs.

**Role of the LEAs:** Individual LEA will determine their needs for curriculum development and alignment with the core curriculum based on their local needs and seek technical assistance and professional development from the SELPA when needed.

**Role of the SELPA Program Specialist:** Coordinate curriculum development, resources, and technical assistance to LEAs when requested in the SELPA.

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

**Role of the RLA:** As the grantee for state and federal funds, will monitor the SELPA funding allocations and distributions to member LEAs.

**Role of the SELPA Administrator:** Review Annual Performance Reports, California School Dashboard, and other data sources with LEA Administrators. Reviews annual budget and service plan with the Governance Council and CAC. Reviews the SELPA Fiscal Allocation Plan with the Governance Council to ensure appropriate distribution of funds.

**Role of the LEAs:** Reviews and monitors Annual Performance Reports, California School Dashboard, and other data sources to ensure students with disabilities receive a free and appropriate public education. Engage in monitoring activities as required by the CDE and address performance, compliance, and accountability issues in a timely manner.

**Role of the SELPA Program Specialist:** Assist member LEAs to evaluate the effectiveness of programs for students with disabilities.

**7. Coordinated system of data collection and management:**

**Role of the RLA:** Not applicable.

**Role of the SELPA Administrator:** Approve the California Longitudinal Assessment and Pupil Data System (CALPADS) submission of each member LEA as required by the CDE. Establish and maintain the Special Education Information System (SEIS) for all LEA members to access and use for reporting purposes. Provide technical assistance and training to LEAs as requested or deemed necessary by SELPA.

**Role of the LEAs:** Responsible for data entry, quality, and integrity of CALPADS submissions in a timely manner as required by CDE. Use the SEIS system to input data as established by the SELPA.

**Role of the SELPA Program Specialist:** Work collaboratively to ensure a coordinated system of data collection and management.

## **8. Coordination of interagency agreements:**

**Role of the RLA:** Not applicable.

**Role of the SELPA Administrator:** Review, revise, and develop interagency agreements as required to implement the plan. Ensure interagency agreements are in place as required by CDE and provide technical assistance and dispute resolution if necessary.

**Role of the LEAs:** Through the representation at the Governance Council or at the discretion of the SELPA, LEAs will approve and implement interagency agreements as appropriate.

**Role of the SELPA Program Specialist:** Work collaboratively with SELPA to support the coordination of interagency agreements.

## **9. Coordination of services to medical facilities:**

**Role of the RLA:** Not applicable.

**Role of the SELPA Administrator:** Facilitates the coordination of services to students in medical facilities within the geographic area of SELPA and by the designated LEAs.

**Role of the LEAs:** Takes educational responsibility for 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 in which the hospital or facility is located.

**Role of the SELPA Program Specialist:** Provide technical assistance to LEAs when requested to ensure that students have full educational opportunities regardless of District of Special Education Accountability.

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

**Role of the RLA:** Not applicable.

**Role of the SELPA Administrator:** Facilitate the coordination of services to students in licensed children’s institutions and foster family homes within the geographic area of the SELPA and by the designated LEAs.

**Role of the LEAs:** Takes responsibility for individuals with exceptional needs who are placed in a public state-licensed children’s institution, foster family home, proprietary hospital, or a health facility for medical purposes in which the hospital or facility is located.

**Role of the SELPA Program Specialist:** Provide technical assistance to LEAs when requested to ensure that students have full educational opportunity regardless of District of Special Education Accountability.

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

**Role of the RLA:** Not applicable.

**Role of the SELPA Administrator:** Ensure preparation and timely submission of required reports. Provide technical assistance to LEAs in completing reports.

**Role of the LEAs:** Submit required reports and/or data to SELPA in a timely manner.

**Role of the SELPA Program Specialist:** Not applicable.

**12. Fiscal and logistical support of the CAC:**

**Role of the RLA:** Approve those expenses deemed appropriate and necessary to conduct CAC business and approved by the Governance Council and/or SELPA Administrator.

**Role of the SELPA Administrator:** Provide fiscal and logistical support for CAC meetings, events, and parent education events as approved by Governance Council when required.

**Role of the LEAs:** Superintendents of each member LEA, through Governance Council, will ensure that the SELPA has appropriate logistical and fiscal support

for the CAC. LEA Special education Administrators shall facilitate communication between their CAC representatives and their LEAs.

**Role of the SELPA Program Specialist:** Provides logistical support to the CAC.

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

**Role of the RLA:** Not applicable.

**Role of the SELPA Administrator:** Provide technical assistance as needed.

**Role of the LEAs:** Facilitate appropriate transportation services for students with disabilities as determined by their IEP teams.

**Role of the SELPA Program Specialist:** Provide technical support for transportation of students with disabilities as determined by their IEP teams.

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

**Role of the RLA:** Not applicable.

**Role of the SELPA Administrator:** Provide professional development and technical assistance as requested or needed. Ensure appropriate interagency agreements are in place and facilitates connection to agencies as appropriate.

**Role of the LEAs:** Provide appropriate career and vocational education and transition services as required under state and federal law as appropriate. Coordinate with local agencies, (i.e. Regional Center of Orange County.)

**Role of the SELPA Program Specialist:** Support professional development, program development, and to meet the needs of students with disabilities.

**15. Assurance of full educational opportunity:**

**Role of the RLA:** Not applicable.

**Role of the SELPA Administrator:** Ensures that the full continuum of services is available and provided where appropriate, and assists with inter/intra-SELPA fiscal agreements as needed. Provides professional development and technical assistance upon request or as determined needed by the SELPA for LEAs or other contracted educational entities.

**Role of the LEAs:** Provide a full continuum of services in conjunction with the SELPA, and determines through their representation at the Governance Council the regional programs required to meet the needs of the students with disabilities within the SELPA.

**Role of the SELPA Program Specialist:** Provides technical assistance to LEAs when requested to ensure that students have the full educational opportunities regardless of District of Special Education Accountability.

**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:**

**Role of the RLA:** Collaborate with the SELPA to ensure that the distribution of funds is in alignment with the funding allocation plan. Take responsibility for receipt and distribution of any funds for the operation of special education programs to appropriate accounts and to accounts exclusively designated for SELPA use.

**Role of the SELPA Administrator:** Ensure that the distribution and allocation of funds to member LEAs is in alignment with the Funding allocation plan. Review, monitor and submit required fiscal reports as identified by the CDE. Review and submit the annual budget plan.

**Role of the LEAs:** Determines and approves through the Governance Council, the allocation of funds to the member LEAs and the Annual Budget Plan. Submit required fiscal reports as required by State and Federal law.

**Role of the SELPA Program Specialist:** Not applicable.

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

**Role of the RLA:** Not applicable.

**Role of the SELPA Administrator:** Supervise and evaluate the SELPA Program Specialist. Provide training and guidance to the Program Specialist as needed.

**Role of the LEAs:** Ensure that students have access to a full continuum of Special Education and Related Services by requesting direct support from the Program Specialist when requested.



**Role of the SELPA Program Specialist:** Under the direction of the SELPA Administrator, provide instructional program support which shall include but not be limited to: Observe, consult with and assist special and general education staff, administrators, and parents regarding appropriate services for students with disabilities; participate and provide technical support in program development; coordinate curricular resources and take leadership in ensuring the use of appropriate instructional methods, strategies, interventions and resources are utilized; facilitate the development and implementation of staff development and parent education activities.

**SOUTH ORANGE COUNTY  
SPECIAL EDUCATION LOCAL PLAN AREA  
LOCAL PLAN AREA SERVICES  
APPENDIX C**

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

*SOC SELPA provides Early Start services for identified children birth through 3 years of age, providing service coordination and special education and related services as appropriate. The individual LEAs will make timely referrals to the Regional Center of Orange County for potentially eligible infants and toddlers with qualifying needs.*

*Both LEAs operate assessment teams and offer the following continuum of preschool programs and placement options at various school site for students ages 3-5:*

- *General Education Program*
- *Blended Co-Taught Program*
- *Specialized Academic Instruction (Mild/Moderate)*
- *Specialized Academic Instruction (Moderate/Severe)*
- *Specialized Academic Instruction (Autism)*
- *Speech and Language Program*
- *Designated Instruction Services per Annual Service Report*

*SVUSD operates an infant/toddler assessment team and program for students with primarily low-incidence disabilities, providing services in the home through an Itinerant Deaf and Hard of Hearing Teacher, Teacher for the Visually Impaired, Speech and Language Pathologist, Physical Therapist, Occupational Therapist, and School Psychologist as appropriate. Other infant/toddlers residing within the SELPA attendance area are served through the Regional Center of Orange County.*

**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:**

*Members of the public, including parents or guardians of students with disabilities, may address questions or concerns first to the school site staff and administration, then to the District level Special Education Administrators, SELPA Administrator, the Governance Council, or the governing boards of each member LEA.*

**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:**

*In the event of a disagreement among the Local Educational Agencies regarding the distribution of funding, responsibility for service provision, and any other governance activities specified in the Local Plan, it is the intent of the Governance Council that issues be resolved at the lowest level possible in the SELPA governance structure. The Governance Council is the board of last resort. This policy is intended to resolve disagreements within a period of 45 days but is not intended to undermine local authority. If a Local Educational Agency disagrees with a decision or practice of the other LEA or SELPA office, that LEA has a responsibility to discuss and attempt resolution with the party directly involved. Either party may request direct assistance of the SELPA Director or Chairperson of the Governance Council. If this process fails, the parties may pursue a hearing on the issues and resolution with the Governance Council. The decision of the Governance Council shall be final.*

- 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 has been considered and where appropriate, utilized:**

*The referral, assessment and Individual Education Program (IEP) process is utilized to identify the needs of each individual student with disabilities. The LEA ensures the supplemental aids and services are provided in the Least Restrictive Environment (LRE). A student shall be referred for special education instruction and services only after the resources of the regular education program have been considered and implemented where appropriate. The Annual Notice to Parents and district website shall contain information regarding parent referred assessments.*

- 5. A description of the process being used to oversee and evaluate placements in non-public, 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:**

*A nonpublic (NPS), nonsectarian school is a school that enrolls individuals with exceptional needs pursuant to an IEP and is certified by the California Department of Education. The LEA may contract with a NPS when no public education program is available, as determined by the IEP.*

*Procedures for Ensuring that all IEP Requirements are Met*

*The LEA contracts with nonpublic, nonsectarian schools and shall evaluate the placement of its student(s) in such schools on at least an annual basis as part of the annual IEP review. The LEA representative shall review the master contract, the individual services agreement, and the IEP to ensure that all services agreed upon and specified in the IEP are provided.*

*The LEA must provide the nonpublic school (NPS) with the name of a representative to contact regarding any concerns about the student's progress. That representative should monitor periodic progress reports and attend the student's IEP meetings.*

Procedures for Evaluating Progress

*Nonpublic, nonsectarian schools are required by the master contract and the IEP to annually evaluate the students to determine if they are making appropriate educational progress. The LEA representative shall collaboratively review with the parent and the nonpublic, nonsectarian school the evaluations conducted by the nonpublic, nonsectarian school to ensure that they were appropriate and valid for measuring student progress. The LEA may choose to administer additional assessments as necessary, with parent consent, to determine whether the student is making appropriate educational progress.*

- 6. A description of the process by which the SELPA will fulfill the obligations to provide FAPE to a student age 18-21 (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 18-21, who: (a) had been identified as a child with a disability and had received services in accordance with an IEP, but left school prior to their incarceration; or (b) did not have an IEP in their last educational setting, but had actually been identified as a child with a disability (EC Section 56040).*

*It is the responsibility of the District of residence (DOR) to provide special education services and related services to an adult student in county jail who remains eligible for those 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 56-41).*

*The LEAs of the SELPA in coordination with CDE shall: Seek out eligible adults residing within their boundaries. Review and revise IEPs, as necessary, including conducting annual reviews. Determine whether the qualified individual wishes to receive FAPE and if so, to ensure that FAPE is provided with consent.*

*The following special education requirements do not apply to eligible individuals who are convicted as adults under state law and incarcerated in adult prisons: State and LEA-wide assessment programs, transition planning and transition services, IEP team may modify the individual's IEP or placement notwithstanding the least restrictive environment requirement if there is a security or compelling penological interest that cannot otherwise be accommodated.*