

**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.