



Local Plan

East Valley Special Education Local Plan Area

Anita Ruesterholtz, Administrator

Local Education Agency Members:

Colton Joint Unified School District
Redlands Unified School District
Rialto Unified School District
Rim of the World Unified School District
Yucaipa-Calimesa Joint Unified School District
San Bernardino County Superintendent of Schools,
Student Services Division-East Valley Operations

Revised June, 2007

Local Plan
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**East Valley
Special Education Local Plan Area**

BOARD ACTION DATES

<u>District</u>	<u>Approval Date</u>
Colton Joint Unified School District	April 19, 2007
Redlands Unified School District	May 8, 2007
Rialto Unified School District	April 11, 2007
Rim of the World Unified School District	April 10, 2007
Yucaipa-Calimesa Joint Unified School District	April 10, 2007

Section 1.

Assurance Statement



ANITA RUESTERHOLTZ, ADMINISTRATOR

MEMBER DISTRICTS:

COLTON JOINT UNIFIED
REDLANDS UNIFIED
RIALTO UNIFIED
RIM OF THE WORLD UNIFIED

SAN BERNARDINO COUNTY SUPERINTENDENT
OF SCHOOLS/EAST VALLEY STUDENT SERVICES
YUCAIPA-CALIMESA JOINT UNIFIED

SPECIAL EDUCATION LOCAL PLAN AREA
LOCAL EDUCATION AGENCY (LEA) ASSURANCES

1. FREE APPROPRIATE PUBLIC EDUCATION (20 USC § 1412 (a)(1))

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

2. FULL EDUCATIONAL OPPORTUNITY (20 USC § 1412 (a)(2))

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

3. CHILD FIND (20 USC § 1412 (a)(3))

It shall be the policy of 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 attending private schools, regardless of the severity of their disabilities, and who are in need of special education and related services are identified, located and evaluated. A practical method is developed and implemented to determine which students with disabilities are currently receiving needed special education and related services.

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

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

5. LEAST RESTRICTIVE ENVIRONMENT (20 USC § 1412 (a)(5))

It shall be the policy of 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 class, separate schooling, or other removal of a student with disabilities from the general educational environment, occurs only when the nature or severity of the disability of the student is such that education in

general classes with the use of supplemental aids and services cannot be achieved satisfactorily.

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

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

7. EVALUATION (20 USC § 1412 (a)(7))

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

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

It shall be the policy of 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 (FERPA).

9. PART C, TRANSITION (20 USC § 1412 (a)(9))

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

10. PRIVATE SCHOOLS (20 USC § 1412 (a)(10))

It shall be the policy of 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.

11. LOCAL COMPLIANCE ASSURANCES (20 USC § 1412 (a)(11))

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 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.

12. INTERAGENCY (20 USC § 1412 (a)(12))

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.

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

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 Educational Agency.

14. PERSONNEL QUALIFICATIONS (20 USC § 1412 (a)(14))

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

15. PERFORMANCE GOALS & INDICATORS (20 USC § 1412 (a)(15))

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.

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

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

17. SUPPLEMENTATION OF STATE/FEDERAL FUNDS (20 USC § 1412 (a)(17))

It shall be the policy of 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; will be used to supplement and not to supplant state, local and other Federal funds those funds.

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

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 law and regulations.

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

It shall be the policy of this LEA that public hearings, adequate notice of the hearings, and an opportunity for comment 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.

20. RULE OF CONSTRUCTION (20 USC § 1412 (a)(20))
(Federal requirement for State Education Agency only)

21. STATE ADVISORY PANEL (20 USC § 1412 (a)(21))
(Federal requirement for State Education Agency only)

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

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.

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

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.

24. OVERIDENTIFICATION AND DISPROPORTIONALITY (20 USC § 1412 (a)(24))

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

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

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.

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26. DISTRIBUTION OF FUNDS (20 USC § 1411(e),(f)(1-3))
(Federal requirement for State Education Agency only)

27. DATA (20 USC § 1418 a-d)

It shall be the policy of this LEA to provide data or information to the California Department of Education that may be required by regulations.

28. READING LITERACY (State Board requirement, 2/99)

It shall be the policy of this LEA that in order to improve the educational results for students with disabilities, SELPA Local Plans shall include specific information to ensure that all students who require special education will participate in the California Reading Initiative.

29. CHARTER SCHOOLS (E.C. 56207.5 (a-c))

It shall be the policy of this LEA that a request by a charter school to participate as a local educational agency in a special education local plan area may not be treated differently from a similar request made by a school district.

In accordance with Federal and State laws and regulations, the East Valley SELPA certifies that this plan has been 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 herein represented will meet all applicable requirements of state and federal laws, regulations and state policies and procedures, including compliance with the Individuals with Disabilities Education Act, 20 USC 1400 et.seq, and implementing regulations under 34 CFR, Parts 300 and 303, 29 USC 794, 705 (20), 794- 794b, the Federal Rehabilitation Act of 1973, as amended, and the provisions of the California Education Code, Part 30 and Chapter 3, Division 1 of Title V of the California Code of Regulations.

Be it further resolved, the LEA superintendent shall administer the local implementation of procedures, in accordance with state and federal laws, rules, and regulations, which will ensure full compliance.

Furthermore, the LEA superintendent ensures that policies and procedures covered by this assurance statement are on file at the Local Education Agency and the SELPA office.

Adopted this _____ day of _____, 200_____.

Yeas: _____ Nays: _____

Signed: _____, Superintendent,
Secretary to the Board of Education
(or use appropriate titles)

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Section 3.

Governance and Administration

Description of Governance & Administration of the Plan
E.C. 56205(a)(12)(A) and 56195.1

The East Valley Special Education Local Plan Area (SELPA) is composed of five school districts and the San Bernardino County Superintendent of Schools Office. Those districts joining to form the Local Plan Area are Colton Joint Unified School District, Redlands Unified School District, Rialto Unified School District, Rim of the World Unified School District, and Yucaipa-Calimesa Joint Unified School District. The San Bernardino County Superintendent of Schools is designated as the Responsible Local Agency.

The Board of Directors is the governing body of the East Valley SELPA. The Board of Directors is composed of the Superintendent from each participating school district and the Assistant Superintendent of the San Bernardino County Superintendent of Schools. The Board of Directors is responsible to their respective local school Boards.

The function of the SELPA and participating Local Education Agencies (LEAs) is to provide a quality education program appropriate to the needs of each eligible child with a disability who resides within the Local Plan area. All such programs are to be operated in a manner consistent with the funding provisions of Education Code Section 56700 et. seq., IDEA, other applicable laws and the SELPA policies and procedures.

This Local Plan is a joint effort of the San Bernardino County Superintendent of Schools Office and member school districts as found in E.C. 56195(c). This Local Plan is a continuation of those previous agreements as found in the original Local Plan and subsequent revisions that were approved by local boards of education and the California Department of Education. In adopting the completed Local Plan, each LEA agrees to carry out the duties and responsibilities assigned to each agency, or which may be designated at a later date through agreement of the member LEAs.

The East Valley Special Education Local Plan Area believes that this comprehensive Local Plan reflects careful planning and development of a high quality delivery system in compliance with legislative requirements. The quality of the delivery system results from the willing cooperation and perceptive understanding of all involved segments of the East Valley Special Education Local Plan Area.

**Responsibilities of Each Participating District Governing Board and County Office
in the Policy Making Process
E.C. 56205(a)(12)(D)(i-ii) and 56195.1**

Responsibilities of Participating Agencies

At a regularly scheduled meeting each year, the Board of Directors receives from each member, an affirmation of their district's continued participation in the East Valley Special Education Local Plan Area.

The Board of Directors, composed of the Superintendents of each participating agency, and the Assistant Superintendent of the San Bernardino County Superintendent of Schools Office, has indicated its strong preference for a decentralized structure that would keep as many children as possible appropriately served in their local districts. It is felt that only when there is convincing evidence that a service is more economically feasible on a regional level would service be provided outside of the local districts. Leaving most programs with local districts will ensure their responsiveness to local interests and values; minimize transportation; encourage mainstreaming; and reduce duplication of administrative and service costs.

Smooth and efficient implementation and operation of the Local Plan continues to be a priority of the Steering Committee, which is composed of the Special Education Directors of each participating district and the Area Director of the San Bernardino County Superintendent of Schools Office. This structure facilitates the development of an efficient management process that will allow control, direction, and management of the various activities required by the Local Plan. Considerable study, thought and discussion led to the management structure shown in the chart on page 12.

Allocation of State and Federal Funds

State and Federal funds are deposited from the San Bernardino County Treasury into the County School Service Fund (Administrative Unit). The SELPA provides allocation to County Schools for distribution to the school districts.

State and Federal funds are allocated to the member districts through the SELPA Finance Committee with final approval by the Board of Directors. The Finance Committee is composed of the Fiscal Managers and Special Education Directors from each participating district and the San Bernardino County Superintendent of Schools East Valley Operations Division.

The East Valley SELPA monitors the appropriate use of funds and shares this information on a monthly basis with the Finance Committee. When necessary, meetings are held with individual member districts for the purpose of monitoring funds.

The East Valley SELPA is responsible for the preparation of program and fiscal reports requested by the State.

Responsibilities of Local Governing Boards

The Boards of Education of the districts and the County Office of Education, in representing the involved communities, have overall responsibility for implementation and operation of the Local Plan. Policy making responsibilities are fulfilled by local boards review/approval of the Local Plan. All district Boards of Education shall have final approval of the Local Plan for special education and significant revisions of that Local Plan. Additionally, they shall have final approval of the appointment of parents in their communities to serve on the Community Advisory Committee. Additional responsibilities include:

1. Operating local programs consistent with State and Federal laws and regulations, policies and procedures approved for the SELPA.
2. Developing and adopting policies for the operation of the LEA, which are consistent with those of the SELPA and which promote the concept to ensure access to appropriate programs and services for all children with disabilities.
3. Providing suitable housing for special education programs maintained by the LEA.
4. Ensuring LEA compliance with all elements of the Local Plan.
5. Approving the Local Plan developed for the East Valley SELPA prior to approval by the California Department of Education.

Responsibilities of the LEA Superintendents

The LEA Superintendent represents the LEA as a member of the East Valley SELPA Board of Directors and provides a liaison function between the LEA governing board and the SELPA Board of Directors. The LEA Superintendent provides leadership within the LEA in support of special education programs.

The Board of Directors is composed of the Superintendents of the participating districts and the Assistant Superintendent of the San Bernardino County Superintendent of Schools Office. The County Superintendent will serve as chairperson. The Board is responsible for assuring districts' compliance with the Local Plan.

The responsibilities of the Board of Directors shall include:

1. Establishing operational procedures and making decisions on any matters regarding implementation, administration and operation of special education programs in accordance with the Local Plan in the East Valley Special Education Local Plan Area.
2. Approving proposed changes to the Local Plan for Special Education.

3. Establishing an ad hoc committee to review all SELPA budgets.
4. Reviewing and recommending for approval to the County Board of Education the annual income and expenditure budgets for the Special Education Local Plan Area.

5. Reviewing and adopting policy and procedures for the Special Education Local Plan Area.
6. Reviewing and recommending the employment of the Special Education Local Plan Area Administrator. Recommending to the Superintendent of the RLA, a qualified candidate(s) to be employed as the SELPA Administrator.
7. Annually evaluating the Special Education Local Plan Area Administrator.
8. Annually evaluating the Local Plan implementation and operations.

The Board of Directors may initiate and carry on an activity, or may otherwise act in any manner which is not inconsistent with or preempted by law, and which is not in conflict with the purposes for which the East Valley Special Education Local Plan Area is established.

The Board of Directors shall have responsibility for overall management and direction of the Local Plan development, implementation and operation. Board members shall be involved in the budget review and approval process for the Local Plan. The County Superintendent of Schools shall have responsibility for employing the Special Education Local Plan Area staff.

Each superintendent of the Responsible Local Agency Unit and the County Superintendent shall participate on the Board of Directors. Each Member of the Board of Directors may designate an alternate representative if the superintendent of the agency cannot participate on the Board of Directors for a period of time. The alternate representative shall have full authority for decision making and representing that Local Agency Unit. The Board has developed a set of specific procedure Bylaws, for its operation.

Responsibilities of Each Local Education Agency

It is the policy of member districts of the East Valley Special Education Local Plan Area that each district is responsible for educating children with disabilities in the least restrictive environment. Placement in special education programs or services occurs only when the nature or severity of the disability is such that the child's education, even with the use of modification of the regular program or use of supplementary aids or programs, cannot be achieved satisfactorily. It is the policy that children with disabilities are served in their home districts whenever the needs identified on the individualized education program can be met within the home district. However, it is recognized that some students have educational needs so unique that it is not possible to meet those needs in

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their home districts. Because of unique educational needs, some students will need to receive services from other districts within the SELPA. A process has been established to facilitate such movement of students within the SELPA to ensure that the full continuum of services is available to every student in the SELPA.

In the event of conflict regarding responsibility of specific districts for the provision of services to children with disabilities, it shall be the responsibility of the SELPA Administrator to resolve the conflict. Such decision shall be final.

Responsibilities of the LEA Special Education Directors

The East Valley SELPA Steering Committee is composed of the Special Education Directors of each participating LEA member of the East Valley Special Education Local Plan Area and the Area Director of the San Bernardino County Superintendent of Schools Office. The LEA special education directors are responsible as individuals for the operation of Local Education Agency programs to ensure that all eligible children with disabilities receive appropriate services.

Responsibilities of the Steering Committee include:

1. Advising the SELPA Administrator and the Board of Directors regarding the status, accomplishments and needs of special education programs operated within the LEAs.
2. Providing leadership and support through interdistrict relationships to implement the Local Plan, including any regionalized programs and services.
3. Coordinating and facilitating the day to day participation of LEA special education personnel and utilizing other available district resources to improve special education services in accordance with the provisions of the Local Plan and decisions made by the Board of Directors.
4. Participating in the development of appropriate special education services which will ensure that when specified in the pupil's IEP, children with disabilities will have access to the same education programs as for non-disabled children; and programs and services will be equivalent to those of non-disabled children at the same grade/age level.
5. Assuring their LEA's implementation of the Local Plan.
6. Functioning in accordance with the Steering Committee Bylaws.

Procedures for Changes in the Governance Structure

Procedures by which the governance structure of the SELPA can be changed are addressed in the Bylaws of the Board of Directors. Any changes in the governance structure of the East Valley SELPA, including reducing or increasing the number of participating LEAs, changing the designation and/or responsibilities of the RLA, are subject to specific provisions of Education Code Sections 56140, 56195, et. seq., 56195.1 et. seq., 56200 et. seq., and 56205 et. seq.

1. The Bylaws of the Board of Directors specify that each participating agency affirms their intent to continue participation in the Local Plan annually at a regularly scheduled Board meeting.

2. Any Local Education Agency may elect to pursue an alternative option from those specified in the Education Code Section 56195.1 by notifying the County Superintendent at least one year prior to the date the alternative plan would become effective (E.C. 56195.3(b)).
3. Any alternative plan of an LEA is subject to the approval of the County Superintendent of the county which would have school districts as participating agencies in the alternative plan (E.C. 56195.1).
4. Approval of a proposed alternative plan by the appropriate County Superintendent(s) must be based on the capacity of the district(s) to ensure that special education programs and services are provided to all children with disabilities (E.C. 56140(b)).
5. If an alternative plan is not approved by the County Superintendent, the County office shall return the plan with comments and recommendations to the district(s). The district or districts participating in the alternative plan may appeal the decision to the Superintendent of Public Instruction (E.C. 56140(b)(2)).
6. Any alternative plan to be submitted by a district or group of districts currently participating in the East Valley SELPA must meet the standards established by the State Board of Education and not adversely affect the size and scope of the current Local Plan geographic area.
7. Any changes in the designation of the Responsible Local Agency must conform to the above Education Code provisions and the administrative provisions for approval as specified in the Local Plan.

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Request for SELPA Membership — LEAs and Charter Schools: E.C. 56203, 56203(b), 56203(c), 56207.5, 56207.5(a), 56207.5(b), 56207.5(c) and 56195.1(c)(2)(f)

A request by a Charter School to participate as a Local Education Agency (LEA) in the East Valley SELPA will not be treated differently from a similar request made by a school district. In reviewing and approving a request by an LEA or Charter School to participate as an LEA, the following requirements shall apply:

1. The LEA or Charter School shall participate in State and Federal funding for special education and the allocation policy adopted by the Board of Directors in the same manner as other member districts of the SELPA.
2. The LEA or Charter School shall participate in the governance of the SELPA in the same

manner as other Local Education Agencies of the SELPA.

3. The approval of additional members to the East Valley SELPA by the Board of Directors shall be followed by a redrafting of a new Local Plan and action by each member's governing board.

In the event of lack of agreement among Board members regarding the withdrawal from or addition to Local Plan membership, an appeal may be made to the County Superintendent. The County Superintendent's decision will be final.

Administrative Functions

With the provisions of State law and PL 105-17, a comprehensive approval and administrative structure is required to meet the realistic and ever-changing needs of children with disabilities.

The East Valley Special Education Local Plan Area Bylaws have designated the San Bernardino County Superintendent of Schools Office as the Responsible Local Agency.

The services to be provided as specified under E.C. 56195.1(c)(2) include:

1. Receipt and distribution of regionalized services funds. An overall budget for all special education services and programs for the Special Education Local Plan Area shall be prepared under the direction of the Special Education Local Plan Area Administrator. The Steering Committee and Finance Committee shall also provide assistance in the development of the annual income and expenditure budgets for the Special Education Local Plan Area. The budget shall be submitted to the Board of Directors by the Special Education Local Plan Area Administrator for review and approval.
 2. Provision of administrative support.
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3. Provision of regionalized services (including Staff Development and Program Specialist services).
 4. Coordination and implementation of the Local Plan.
 5. Implementation of policies for due process decisions.

Selection, Employment and Evaluation of the SELPA Staff

The Board of Directors shall be responsible for reviewing the final candidates, and making recommendations for employment of the Special Education Local Plan Area Administrator to the County Superintendent of Schools. The name of the candidate selected will be submitted to the County Superintendent of Schools for final approval for hiring. The SELPA Administrator is evaluated annually by the Board of Directors.

The Special Education Local Plan Area Administrator shall be responsible for recommending the employment of SELPA personnel to carry out those functions described in the Local Plan.

Special Education Local Plan Area employed personnel shall be subject to the administrative procedures and policies in operation within the San Bernardino County Superintendent of Schools Office, including, but not limited to, hiring, supervision, evaluation and discipline. In addition, contract negotiations shall follow County established procedures for all Special Education Local Plan Area employed personnel.

Employment and Evaluation of Certificated Staff (Program Manager, Program Specialists and Occupational Therapists):

Notices of vacancies for positions will be circulated through notices to school districts, county offices of education, and appropriate college and university placement services. The employment process will involve the following steps:

1. Applications will be screened by the Responsible Local Agency Personnel Department.
2. An interview committee will be formed, which includes the SELPA Administrator, representatives from the Steering Committee and appropriate SELPA staff.
3. The top candidate as determined by the interview committee, will be recommended to the Board of Directors for approval.

The SELPA Administrator will evaluate the program manager, program specialists and occupational therapists per the RLA Personnel Department policies.

Administration Personnel Structure

The structure and personnel as described in the chart on page 15, are crucial for implementing the Local Plan in the East Valley Special Education Local Plan Area. Responsibilities for each entity shown on the chart are provided below.

Administrator

The Special Education Local Plan Area (SELPA) Administrator shall be responsible for developing and implementing procedures in accordance with the Board of Directors' policies. The Administrator serves as Executive Secretary to the Board of Directors.

The SELPA Administrator shall have responsibility for the coordination of all Special Education Local Plan Area activities.

Under the SELPA Administrator, those personnel who assume the major responsibilities for implementing the Local Plan operations are shown in the chart on page 18. In each of these

areas, and others as appropriate, the Administrator shall report regularly to the Board of Directors.

The Special Education Local Plan Area Administrator also consults with the Steering Committee in carrying out the activities under the Special Education Local Plan Area Administrator's jurisdiction. Such coordination may involve review and consultative services regarding the implementation of the objectives and procedures developed for the Special Education Local Plan Area. This coordination shall be facilitated by the SELPA Administrator chairing regular and systematic meetings of the Steering Committee.

The SELPA Administrator's responsibility shall include:

- Initiating proposed policies for adoption by the Board of Directors.
- Reporting, on an annual basis, the status of the Local Plan implementation.
- Developing the annual income and expenditure budgets for the Special Education Local Plan Area.
- Developing and implementing procedures for operation within the Special Education Local Plan Area.
- Serving as the Executive Secretary to the Board of Directors; as Secretary the Administrator shall:
 - prepare and handle the Board of Directors' meeting agenda;
 - prepare and handle the Board of Directors' meeting minutes;
 - handle and care for all Special Education Local Plan Area and Board of Directors' records and documents (records custodian); and
 - prepare tentative calendar of the Board of Directors' meetings for the ensuing year for the consideration of the Board of Directors at a regular meeting in early Spring.

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- Serving as the Chairperson of the Steering Committee.
- Serving as Chairperson of the Finance Committee.
- Serving as Chairperson of Ad Hoc Committees as designated by the Board of Directors.
- Annually evaluating Program Manager and other Special Education Local Plan Area staff, as appropriate.
- Serving as an ex officio member of the Community Advisory Committee, including the responsibility to respond to items and concerns of that group.
- Providing professional growth opportunities to personnel and parents within the East Valley SELPA, including, but not limited to:
 - Coordinate regular and special education staff inservice opportunities.
 - Coordinate support personnel inservice and training.
 - Coordinate existing State and national resources for staff development.
 - Coordinate activities of the Community Advisory Committee.
 - Coordinate all Program Specialist services.
 - Provide parent education.
 - Provide for Continuing Education Units.
 - Develop the SELPA Personnel Development Plan.
 - Conduct evaluations of Program Specialists.

- Represent SELPA on the Region 10 Coordinating Council.
- Direct the development of needs assessment questionnaires.
- Review special education forms to assure compliance with the law and revise SELPA Handbook accordingly.
- Coordinate compliance review process.
- Coordinate development of excess cost policies and "X-Pot" use.

Program Manager/Individual Protections

The Program Manager/Individual Protections, working with the representative from each participating agency, shall be responsible for coordinating all due process functions. The Program Manager/Individual Protections shall assume the following responsibilities for the Special Education Local Plan Area:

- Provide assistance to member districts in responding to complaints.
- Advise and represent districts in mediations and fair hearings.
- Develop interagency agreements.
- Review, analyze, and inform participating members of changes in State and Federal law.
- Assist districts in nonpublic agency and AB 2726 residential school placements.
- Provide resources to IEP teams.
- Perform other duties as assigned by the SELPA Administrator.

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Program Specialist Services

Program Specialist services are centralized and each specialist is available to both special and regular education personnel, as well as parents within the SELPA member local education agencies. Program Specialists are assigned as a liaison to specific districts, but are available to all districts depending on skills or areas of expertise.

Program Specialists have multi-certification areas of experiences, they are not bound to one categorical program area; therefore, an integrated delivery system is provided in the East Valley SELPA. Program Specialists deliver resource services that are cross-categorical, multidisciplinary, and are effectively implemented through a team approach.

A major portion of the Program Specialist's time is devoted to supporting the on-going improvement of the instructional programs and curriculum for special education and "at-risk" general education students through direct services to teachers, administrators, and parents. The Program Specialist services provided are multi-dimensional and may include, but are not limited to:

- Assisting teachers with student assessments.
- Providing input for IEP development.

- Planning behavioral management programs.
- Developing sequential teaching programs.
- Assisting with class scheduling.
- Consulting to determine and implement appropriate program placements.

Program Specialists are actively involved in presenting new concepts and techniques to teaching personnel through direct training and staff development activities.

Some of the services provided by Program Specialists relate to placement of students in appropriate programs and due process functions. Assistance is provided by acting as a resource for intra- or inter-district placements and gathering data for complaints or due process.

Program Specialist services ensure that children with disabilities receive the highest quality programs and services available. Their varied expertise and coordinated efforts prove to be a strong foundation for the improvement of instruction for children in the East Valley SELPA.

Regionalized Services and Operations
E.C. 56205(a)(12)(B) and 56368.23

The SELPA Administrator, in coordination with member local education agencies, implements the Local Plan including the following regional services and operations:

- Coordination of the special education local plan area and the implementation of the Local Plan.
- Coordination of a system of identification and assessment.
- Coordination of a system of procedural safeguards.
- Coordination of regular and special education personnel development opportunities and parent education.
- Coordination of a system of curriculum development and alignment with the core curriculum.
- Coordination of a system of internal program review, evaluation of the effectiveness of the Local Plan, and implementation of a Local Plan accountability mechanism.
- Coordination of a system of data collection and management to facilitate State and Federal reporting requirements.
- Coordination of interagency agreements.
- Coordination of services to medical facilities.
- Coordination of services to licensed children's institutions and foster family homes.
- Preparation and transmission of required special education local plan area reports, including program and fiscal reports.
- Fiscal and logistical support of the Community Advisory Committee.
- Coordination of transportation services for children with disabilities.
- Coordination of career, vocational education and transition services.
- Assurance of full educational opportunity.
- Fiscal administration and allocation of State and Federal funds.
- Coordination of program specialists services (E.C. 56368).
- Conducting evaluations of Program Specialists.
- Providing for Continuing Education Units.
- Representation on the Region 10 Coordinating Council.

**Community Advisory Committee (CAC)
Public Participation/Certification
E.C. 56205(a)(12)(C)**

Selection of the Community Advisory Committee

The East Valley SELPA has established a viable Community Advisory Committee. The membership of the Community Advisory Committee may include, but is not limited to, special and general education parents, special education students, special education teachers representing both County and District programs, general education teachers, and administrators or other school support staff. A majority of the members have children with disabilities. To strengthen interaction with the community, the membership of the Community Advisory Committee also consists of representatives from both public and private community agencies. Each district's governing board appoints representatives from its respective area for membership on the Community Advisory Committee.

The Special Education Local Plan Area Administrator, or designee, serves as ex officio member of the Community Advisory Committee. The Administrator, or designee, acts as the liaison between the Community Advisory Committee, the Steering Committee, and the Board of Directors.

The Community Advisory Committee is an ongoing body to provide input to the Steering Committee and the District's local governing boards. Terms of appointment shall meet E.C. 56191.

When replacing Community Advisory Committee members, the district special education directors will submit candidates for consideration to their governing boards.

Community Advisory Committee Responsibilities

The Community Advisory Committee assumes the following responsibilities:

- a. Advising the SELPA Administrator regarding the development, amendment and review of the Local Plan;
- b. Recommending annual priorities to be addressed by the Local Plan;
- c. Encouraging community involvement in the development and review of the Local Plan;
- d. Assisting in the parent education and recruiting of parents and other volunteers who may contribute to the implementation of the Local Plan;
- e. Supporting activities on behalf of children with disabilities; and
- f. Assisting with parent awareness of the importance of school attendance.

In all areas of responsibility related to the Local Plan, the responsibilities will be implemented through regularly scheduled meetings of the Community Advisory

Committee. The meeting purpose will include review of legal requirements of the new Local

Plan, reviewing the draft of the Local Plan and receiving input from members, including areas of priority to be addressed. Input will be taken both at the CAC meetings and through contact with SELPA personnel before the Local Plan is submitted to the State. All CAC input will be reviewed with the Steering Committee and Board of Directors for their consideration.

In the implementation of support activities on behalf of children with disabilities and in increasing parent awareness of the importance of regular school attendance SELPA personnel will: 1) obtain a needs assessment from CAC members and parents of all children with disabilities in the SELPA; 2) address the needs identified by CAC members through speakers, and/or other related activities provided at scheduled CAC workshops.

To assure parent awareness of Community Advisory Committee activities, announcements of all meetings will be distributed to parents of all children with disabilities in the SELPA. In addition, use of a phone tree assists in informing all Community Advisory Committee members and parents.

A Parent Handbook is available to all parents to explain the placement process and provide resource information.

**Supplementation of State/Federal Funds
E.C. 56205(a)(18)**

Per California Department of Education form #SED-LP-3, requirements of this section of the Local Plan are still in development. An assurance statement regarding this topic is contained on page 4 of this Local Plan.

**Maintenance of Financial Effort
E.C. 56205(a)(19)**

Per California Department of Education form #SED-LP-3, requirements of this section of the Local Plan are still in development. An assurance statement regarding this topic is contained on page 4 of this Local Plan.

**Public Participation
E.C. 56205(a)(20) and 56205(b)(4)**

As defined in the East Valley SELPA Board of Directors Bylaws, all Board of Directors meetings are open to the public. At each meeting the chairperson will inquire if any visitor wishes to address the Board of Directors concerning any item on the agenda. Additionally visitors to these meetings will be provided an opportunity to make suggestions and identify concerns about any matter affecting special education which is not on the agenda.

The Community Advisory Committee, as described on page 25 of this Local Plan, also provides opportunities for public participation in the East Valley SELPA.

**Annual Budget Plan for Funding Allocation
E.C. 56205(b)(1)(A-G)**

In addition to the powers and responsibilities prescribed in this Local Plan document, the East Valley SELPA Board of Directors shall, on behalf of its participating local plan agencies, develop an Annual Budget Plan for Local Plan activities as required by Education Code and conduct the required public hearing. The Annual Budget Plan shall include provisions setting forth the manner and level to which the LEAs shall be funded. The Annual Budget Plan shall also provide for the expenditure and distribution of all resources and funds under the scopy of the Local Plan.

**Annual Service Plan
Special Education Services to SH, Non-SH and Low Incidence Students
E.C. 56205(b)(2-7), 56205(c) and 56205(d)**

The East Valley SELPA is required to submit an “Annual Service Plan” to the California Department of Education. The Board of Directors will conduct the public hearing as required prior to submission to the California Department of Education. Contents of the Annual Service Plan will be consistent with Education Code requires defined in Sections 56205(b)(2-7), 56205(c) and 56205(d).

**Compliance with California Early Intervention Services Act
E.C. 56205(b)(3)**

Preschool Services

San Bernardino County Superintendent of Schools operates programs for birth to five year old children with disabilities requiring intensive services as well as a program for the three to five year old group that does not require intensive services.

Services to the infant population with intensive needs or “at risk” for the development of more serious delays began in 1974–1975 when the birth to three year olds were served under a Title VIB grant. The Parent/Infant Program was expanded in the fiscal year 1985–1986 at which time the State of California converted funding to the J–50 IPSU model. The Early Start Program is now mandated to provide service per Part C mandate.

As a child reaches the toddler age of two years, the family is encouraged to bring the child to a center based program option located throughout the area. These small instructional settings are in a variety of locations. The grouping allows the child to socialize as well as practice many of the age appropriate developmental skills obtained in the one–on–one home teaching. Language use and its comprehension is also a large component of these settings that incorporate the parent into the learning and teaching process. A teacher and an aide conduct these classes with the administrator, nurse and psychologist as resources to help meet any of the child’s further educational or health needs.

Transition out of the birth to three year Early Start Program is a transdisciplinary effort by the teacher, psychologist, speech therapist, nurse, parent and administrator. The needs of the child are looked at from all disciplinary angles and the parent is involved in that survey at all times. The team approach to the survey of the child’s and the family’s needs is frequently broadened to incorporate any other agency involved with that child and its family.

Should the child need more intensive services educationally, the options have been made available to the family since 1975 with the passage of Public Law (PL) 105–17. These options include a broad range of special day classes located in the area to serve a variety of needs. The classes operate for up to four hours per day, five days a week or for a variation of those hours or days based on the needs of the child and family as identified in the IEP.

The San Bernardino County Superintendent of Schools’ Early Intervention Program in the East Valley provides services to the non–intensive needs children. The range of service options include home based services, special day class, service at community settings such as Headstart, State run and private preschools, day care centers, child development centers, and small care facilities. Small group instruction settings are also available to those children who qualify.

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**Dispute Resolution Process
E.C. 56205(b)(5)**

In the event of a disagreement among member local education agencies regarding the distribution of funding, responsibility for service provision or other governance activities

specified in the Local Plan, it is the intent of the Board of Directors that issues be resolved at the lowest level possible in the governance structure outlined in the Local Plan. Resolution strategies such as compromise, mediation and alternative dispute resolution may be employed. The Board of Directors is considered to be the board of last resort. When issues cannot be resolved by the Board of Directors, the Board of Directors may empower the SELPA Administrator to contact appropriate authorities to assist in the resolution. This policy is intended to resolve disagreements within a reasonable period of time, but is not intended to undermine local authority.

Charter Schools
E.C. 56195, 56195.1(f), 56207.5

Provision of Special Education Services to Students Voluntarily Enrolled in Charter Schools

Rationale

This policy applies to all dependent charter schools that are chartered by educational entities located within East Valley SELPA, as well as independent charter schools designated as a Local Education Agency (LEA). Additionally, this policy applies to any charter school petition granted by the County Board of Education or State Board of Education (SBE) in which oversight responsibilities have been assigned to a district within the SELPA (E.C. 47605(k)(1)). In compliance with E.C. 47645, the East Valley SELPA will treat the review and approval of a charter school's request to be an LEA in the same manner as a request from another district to join the SELPA.

As students enrolled in charter schools are entitled to special education services provided by State and Federal funding, the charter schools shall follow all applicable requirements of State and Federal law regarding provision of special education services (E.C. 56000 et seq.), Individuals with Disabilities Education Act (20 U.S.C. Chapter 33).

Policy Statement

Special education and related services shall be provided to all eligible individuals within East Valley SELPA in accordance with this Local Plan. Students enrolled in charter schools chartered within the county shall receive services in a manner similar to students enrolled in member districts within the SELPA. Funding for special education services, participation in the governance structure, and responsibility for provision of services shall be based on the status of the individual charter school.

All approved charter schools will be deemed as public schools within a district unless the charter school has been deemed an LEA.

1. **SELPA Involvement with Approval and Renewal of Charters:** Prior to approval of a new charter or renewal of an existing charter, the superintendent or designee of the chartering entity may consult with the SELPA Administrator regarding the status of the charter school. In order to be deemed an LEA, the chartering entity will provide assurances that all eligible students, including those students enrolled in the charter school, will receive appropriate special education services.
2. **Status of Charter Schools:** For the purposes of provision of special education services, charter schools may be deemed either an LEA or a public school within the chartering district.

- a. Public School Within a School District: Charter schools that are deemed to be public schools within a district will participate in the State and Federal funding in the same manner as other schools within the chartering district. The chartering district will be responsible for ensuring that all children with disabilities enrolled in the charter school receive special education and designated instructional services in a manner that is consistent with all applicable provisions of State and Federal law. The district will determine the policies and procedures necessary to ensure that the protections of special education law extend to students in the charter school in the same manner as students in the regular program.

The chartering district will receive all applicable special education funds. The chartering district will represent the needs of charter schools, like other schools within the district, in the SELPA governance structure. The chartering district will be responsible for ensuring that all eligible students are appropriately served. The district will be responsible for procuring and funding appropriate special education services, even though the student may reside anywhere in the State of California.

The district and the charter school may enter into agreements whereby the charter school is billed for excess costs associated with providing special education services to identified students, including the administration of special education programs. The charter school should also be held fiscally responsible for a fair share of any encroachment on district general funds that is created by the provision of special education services throughout the district similar to non-charter schools within the SELPA.

- b. Charter School as an LEA Within the SELPA: A charter school may apply to become an LEA for the provision of special education services. Application must be made to the SELPA by February 1 of the school year preceding the school year in which the charter school anticipates operating as an LEA within the SELPA. The SELPA Board of Directors will make the final determination whether the charter school has met all requirements of an LEA. The special education requirements include:
- Meet the terms of the assurances required in the Local Plan regarding Identification, Screening, Referral, Assessment, Instructional Planning, Implementation, and Review.
 - Meet the terms of the assurances required in the Local Plan regarding Procedural Safeguards.
 - Meet the terms of the assurances required in the Local Plan regarding Regionalized Services.
- c. Once deemed an LEA, the charter school will be responsible for and entitled to the following:

- Participate in governance of the SELPA in the same manner as other districts within the SELPA.
- Participate in State and Federal funding for special education in accordance with the SELPA Allocation Plan in the same manner as other LEAs within the SELPA.
- Be responsible for all costs incurred in the provision of special education services. These costs may include, but are not limited to, instruction, transportation, non-public school/agency placements, inter/intra SELPA placements, due process proceedings, complaints, and attorney fees.
- Provide a current operating budget in order to assure fiscal responsibility in accordance with E.C. Sections 42130 and 42131.
- Provide a copy of the Charter.
- Provide assurances that students and staff will be instructed in a safe environment.

Administrative Guidelines

1. A petition for the creation of a charter school, or renewal of an existing charter, which seeks to be deemed an LEA, must contain adequate assurances that the proposed school will comply with all applicable provisions of State and Federal law and implementing regulations related to the rights of children with disabilities and their parents (20 U.S.C. Chapter 33, Individuals with Disabilities Education Act).
 2. The governing board shall require that a petition include the means by which the charter school intends to serve students with disabilities.
 3. The governing board shall require that a petition contain assurances that no student will be denied admission to the charter school based on disability or lack of available services.
 4. Prior to approving a charter school petition, the superintendent or designee of the chartering entity may consult with the SELPA Administrator regarding the provision of special education services to students enrolled in the prospective charter school.
 5. The charter petition, or an accompanying Memorandum of Understanding or Business Services Agreement, may provide for the allocation of excess costs and/or the charter school's fair share of special education encroachment on the district general fund.
 6. Once admitted to a charter school, any special education services required by enrolled students will be provided by the chartering district if the school is deemed a public school within the district, or by the charter school if deemed an LEA, or by contractual arrangement.
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7. If a charter school IEP team places a student in a special education program provided by another educational entity (i.e., a COE, non-public school, non-public agency, or another district or SELPA), the charter school will be responsible for any excess costs attributable to the placement, similar to other districts within the SELPA. Responsibility for excess costs will rest with the placing charter school.

8. A district IEP team may place a student in a charter program only with agreement between responsible educational entities and parental consent. Under such circumstances, the placing district will be responsible for any excess costs in accordance with the Local Plan.
9. The chartering district will be allocated all special education funds that are generated by a charter school that is deemed a public school. The chartering district will represent the needs of the charter schools that are deemed public schools in the SELPA governance structure. The charter school will receive SELPA services in the same manner as other schools within the chartering district.
10. If the approval of a charter school requires a change in the SELPA allocation plan, such change shall be adopted pursuant to the policy making process outlined in the SELPA Local Plan.
11. If the charter school wishes to be deemed an LEA, the approved charter school will apply to the SELPA for LEA status prior to February 1 of the preceding school year.
12. Charter schools that are deemed an LEA will be allocated special education funds in the same manner as other districts within the SELPA. Charter schools that are deemed an LEA will be included in the SELPA governance structure in the same manner as other districts within the SELPA.

Literacy

The East Valley Special Education Local Plan Area and its member districts are committed to the development of literacy skills for all students within the SELPA including students with disabilities.

To this end, special education instructional personnel participate in regional, SELPA-wide and district level personnel development activities that support the California Reading Initiative. The areas to be addressed through personnel development include research based instructional strategies for teaching reading to a wide range of diverse learners in order to increase the percentage of children with disabilities who are literate. Personnel development will also provide information on State adopted standards and frameworks, standards based assessment and instruction, techniques for enhancing literacy acquisition, and strategies for specific skill development. Specialized instruction to meet individual needs will be consistent with known “best practices” in literacy and based on current learning research. Personnel development opportunities will include increasing student participation in statewide assessments.

In order to attain higher standards in reading, students with exceptional needs will have access to each district’s core curriculum (including state adopted core curriculum textbooks and supplementary textbooks) and instructional materials and support as well as programs developed for at-risk students. Special education funding will be available to teachers for supplemental materials to support literacy. Each IEP team at the time of the IEP review shall consider the level of pupil participation in the California Reading Initiative.

School site IEP teams will determine individual student participation in district and statewide assessments including the need for modifications. Member districts will develop guidelines to assist teams in determining students’ participation in the assessment process. SELPA-wide staff development activities will be provided to facilitate increased participation of students with disabilities in statewide student assessments.

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