

# YOLO COUNTY SELPA

## LOCAL PLAN

# 2015

Yolo County



**Davis Joint Unified**

**Esparto Unified**

**Washington Unified**

**Winters Joint Unified**

**Woodland Joint Unified**

**Yolo County Office of  
Education**

## **YOLO COUNTY SELPA GOVERNANCE**

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## **YOLO COUNTY SELPA GOVERNANCE**

### **I. AGREEMENT REGARDING THE ORGANIZATION, IMPLEMENTATION, ADMINISTRATION, AND OPERATION OF THE YOLO SPECIAL EDUCATION LOCAL PLAN AREA**

The Yolo County Special Education Local Plan Area (SELPA) was formed under authority of Section 56195.1 of the State of California Education Code (CEC). School District and County Office Boards located within Yolo County hereby form a SELPA for the purpose of providing coordinated programs and services to students with disabilities. The principal goal of the Yolo County SELPA and its member Local Education Agencies (LEAs) is to identify all disabled individuals, birth to age 22 years, at the earliest possible age for placement in programs designed to help them meet their individual special needs. Special education programs will supplement the general education program to the fullest extent possible. Early Start programs and preschool will provide a seamless transition to pre-kindergarten and kindergarten, respectively, through coordinated efforts of preschool staff, general education staff, and families.

#### **A. FURTHER GOALS OF THE YOLO COUNTY SELPA**

1. Provide a continuum of service options, including general education.
2. Assure that instructional plans are developed according to individual learning needs.
3. Inform the general educational community of the purpose of the Local Plan and solicit input from school staffs, parents, students, and community agencies in the development of special education programs.
4. Place students in the least restrictive environment (LRE).
5. Practice non-discriminatory procedures in the assessment and placement of all students, and make a conscientious effort to enforce this policy in all practices and procedures.
6. Utilize the services of public and non-public agencies and the State residential schools.
7. Work as a group to provide access to services for all eligible students with disabilities.
8. Establish and maintain program evaluation, as directed by law, for purposes of improving the local program and providing required State data.

#### **B. MULTI-DISTRICT**

The Yolo County SELPA is a multi-district SELPA, Education Code Section 56360-56369.

**C. GOVERNING BODY**

The governing body of the SELPA is the Superintendents' Council. Members of the Superintendents' Council are responsible to the governing Boards of the LEAs in the SELPA. The LEA governing Boards have delegated to the Superintendents' Council the authority to approve SELPA membership of participating LEAs. This authority allows the council to vote on the membership requests without requiring submission of the Local Plan to each Board. Individual membership amendments shall be submitted to California Department of Education as required.

**Comment [GC1]:** This would be new language.

Their allotted votes on the Council shall be as follows:

AREA	VOTE
Davis Joint Unified	1
Esparto Unified	1
Washington Unified	1
Winters Joint Unified	1
Woodland Joint Unified	1
Yolo County Office of Education	1

**D. GOVERNANCE STRUCTURE AND ADMINISTRATIVE SUPPORT**

The Yolo County SELPA's legal status is that of an unincorporated association. Each LEA shall be responsible for adoption and implementation of the Local Plan as outlined.

The LEAs within the Yolo County SELPA join together to assure access to special education and services for all eligible individuals who reside in the geographic area served by these agencies. In adopting the Local Plan, each participating agency agrees to carry out the duties and responsibilities assigned to it within the Local Plan, Education Code Section 56205. Participating agencies may enter into additional contractual arrangements to meet the requirements of applicable Federal and State law.

**E. RESPONSIBILITY OF PARTICIPATING AGENCIES**

Each agency shall provide special education and services to eligible students within its boundaries, including students attending charter schools where an LEA of the SELPA has granted that charter. In addition, each agency shall cooperate to the maximum extent possible with other agencies to serve disabled individuals who cannot be served in the LEA of residence programs. Such cooperation ensures that a range of program options is available throughout the Yolo County SELPA.

**F. IMPLEMENTATION OF ADMINISTRATIVE FUNCTIONS**

The Yolo County Superintendent of Schools shall serve as the responsible local Administrative Unit (AU) for the SELPA to perform functions such as receipt and distribution of funds, provision of administrative support, and coordination of the implementation of the Local Plan.

**G. RESPONSIBILITIES OF LOCAL EDUCATION AGENCY BOARD MEMBERS**

The Boards of the County, Districts and Charters of this SELPA have the overall responsibility for the development, implementation, and operation of the Local Plan, which assures access to special education and services for all disabled individuals, birth to age 22 years, residing in the geographic region served by the Local Plan.

This responsibility is exercised and discharged through the adoption and implementation of this Plan and by the designation of the Yolo County Superintendent of Schools as the AU responsible for the provision of those centralized services as specified in the law.

Amendments to the permanent portion of the Local Plan may be considered during the annual service and budget plan process. The Superintendents' Council may adopt amendments to the permanent portion of the Local Plan on an interim basis, not to exceed one year. Amendments approved in this manner will become permanent upon subsequent approval by all LEA Governing Boards and the State Board of Education. Amendments to the Local Plan are required when changes to Federal or State laws or regulations occur. Until the Local Plan amendments become permanent, the SELPA will comply with all changes in State and Federal laws and regulations.

Adoption of the Local Plan requires consent of all participating Boards. Individual policy changes will be approved through the Superintendents' Council, as the efforts and decisions of the Council facilitate this unanimity.

**H. DUTIES OF LOCAL EDUCATION AGENCY BOARDS**

The LEA Boards shall perform duties such as but not limited to:

1. Exercise authority over, assume responsibility for, and be fiscally accountable for special education programs operated by the agency.
2. Approve the Local Plan.
3. Enter into an agreement with other LEAs participating in the Local Plan, for the purpose of delivering regional services and programs.
4. Review and approve revisions of the Local Plan for Special Education.
5. Participate in the governance of the Yolo County SELPA through their designated representative to the Superintendents' Council. The governing Boards provide the Superintendents' Council with the authority to act as the Board designee to approve and amend policies as necessary.

6. Establish the Local Plan as their comprehensive policy statement regarding the provision of special education programs and related services. SELPA Superintendents shall approve any subsequent policy development or budget revisions.
7. Appoint members to the Community Advisory Committee (CAC).

Adoption of the Local Plan requires the consent of all participating Boards. Substantive amendments also require the consent of all Boards.

**I. RESPONSIBILITIES OF SUPERINTENDENTS**

The Superintendent of each participating LEA shall be responsible for special education programs operated by the LEA and for implementing all requirements of the Local Plan.

Each LEA Superintendent is responsible for providing input and/or recommendations to and from his/her Board regarding policies, procedures, and operation of the special education programs through his/her representative on the Superintendents' Council.

**J. RESPONSIBILITIES OF LOCAL EDUCATION AGENCY PROGRAM ADMINISTRATORS AND CHIEF BUSINESS OFFICIALS**

LEA administrators of special education are responsible for the coordination of special education services and programs within their agencies and for the implementation of the Local Plan. The Chief Business Officials (CBOs) are responsible for monitoring financial and budget matters related to special education services within their agency and as related to the Local Plan. Both groups participate on the Joint Program Administrators/CBO (PAC/CBO) Advisory Committee, which serves as an advisory committee to the Superintendents' Council.

**K. SUPERINTENDENTS' COUNCIL**

1. The Superintendents' Council is an administrative body composed of a Superintendent from each of the five (5) Districts, one (1) LEA Charter, and the County Office within the SELPA.
2. Their allotted votes on the Council shall be as follows:

AREA	VOTE
Davis Joint Unified	1
Esparto Unified	1
Washington Unified	1
Winters Joint Unified	1
Woodland Joint Unified	1
Yolo County Office of Education	1

3. Two thirds of the voting members shall be present to constitute a quorum. A two-thirds vote of those present will be sufficient to approve any actions. The LEA Superintendent shall provide the Council with written notification of a designee's voting authority in the Superintendent's absence.
4. The Superintendents' Council will meet at least four (4) times annually; this will not preclude additional or emergency meetings as needed. The SELPA Administration will comply with all Brown Act requirements for posting.
5. Unless otherwise agreed upon, the Superintendents' Council shall bi-annually rotate the chair of the Council by alphabetized order of the LEAs. If the Superintendents' Council chairperson is unable to attend a Council meeting, the chairperson will appoint a substitute chairperson for the meeting.
6. The SELPA Administrator will provide staff assistance and serve as the Executive Secretary to the Superintendents' Council.

The Superintendents' Council will approve major SELPA operational decisions such as but not limited to the following:

1. Set policy and direction for the SELPA.
2. Approve SELPA financial actions including distribution of special education funding, development of cost containment agreements and procedures, and review of the AU budget with advisement by the Joint PAC/CBO Advisory Committee.
3. Monitor the appropriate use of State, Federal, and local funds allocated for special education programs.
4. Review and approve needed modifications, and adopt amendments to the permanent portion of the Local Plan.
5. Approve the SELPA-wide annual service and budget plans, and subsequent modifications as needed.
6. Approve operation manuals and handbooks to assist in the implementation of the Local Plan. These implementation tools are not considered a permanent portion of the Local Plan and are included in the Local Plan as reference materials only.
7. Approve the type, number, and location of regional classes, programs, and services with consideration of advice from the Joint PAC/CBO Advisory Committee.

#### **L. PROGRAM ADMINISTRATORS' COMMITTEE (PAC)**

The Program Administrators' Committee (PAC) will be composed of one special education designee from each LEA. The SELPA Administrator shall serve as the chairperson of the PAC. The PAC will serve as an advisory committee to the Superintendents' Council and will carry out those functions specified in State law and the Local Plan. The PAC shall perform duties such as but not limited to the following:

1. Provide programmatic and operational recommendations of special education regarding the Yolo County SELPA.



2. Review and recommend needed modification of the Local Plan to the Superintendents' Council.
3. Provide program services and coordination within the SELPA to assure the availability of appropriate special education to all eligible individuals.
4. Recommend policies and procedures to the Superintendents' Council for action.
5. Review and recommend to the Superintendents' Council all procedural handbooks developed for use in the Yolo County SELPA.

**M. CHIEF BUSINESS OFFICIALS (CBOs)**

A CBO or financial designee from each LEA will serve on the Joint PAC/CBO Advisory Committee, which will serve as an advisory committee to the Superintendents' Council. The CBO or financial designee shall perform duties such as but not limited to the following:

1. Formulate fiscal recommendations as applied to programmatic decisions and decisions regarding the operation of special education in the Yolo County SELPA.
2. Recommend policies, procedures, and financial actions to the Superintendents' Council.
3. Review and recommend needed modification of the Local Plan to the Superintendents' Council.
4. Provide coordination within the SELPA to assure the availability of appropriate special education to all eligible individuals.
5. Review and recommend to the Superintendents' Council all procedural handbooks developed for use in the Yolo County SELPA.

**N. JOINT PAC/CBO ADVISORY COMMITTEE**

The Joint PAC/CBO Advisory Committee will serve as an advisory committee to the Superintendents' Council and will carry out the functions specified in State law and the Local Plan. The SELPA Administrator shall serve as the chairperson of the Joint PAC/CBO Advisory Committee meeting.

1. The Joint PAC/CBO Advisory Committee is composed of a PAC and a CBO representative from each of the five (5) Districts, one (1) LEA Charter, and the County Office within the SELPA.
2. Their allotted votes on the Committee shall be as follows:

AREA	VOTE
Davis Joint Unified	1 PAC 1 CBO
Esparto Unified	1 PAC 1 CBO
Washington Unified	1 PAC 1 CBO
Winters Joint Unified	1 PAC 1 CBO
Woodland Joint Unified	1 PAC 1 CBO
Yolo County Office of Education	1 PAC 1 CBO

3. Two thirds of the voting members shall be present to constitute a quorum. A two-thirds vote of those present will be sufficient to approve any actions.
4. The Joint PAC/CBO Advisory Committee will meet at least four (4) times annually; this will not preclude additional or emergency meetings as needed. The SELPA Administration will comply with all Brown Act requirements for posting.
5. The Joint PAC/CBO Advisory Committee is hereby authorized to establish Ad Hoc committees or sub-committees for a specifically defined purpose. Posting of these meetings under Brown Act Rules will be dependent upon the membership called upon to complete the task required.

#### **O. SUMMARY OF POLICY AND PROCEDURE ADOPTION**

Policies and procedures are formulated and refined by the aforementioned committees. Once a program policy or procedure is approved through the PAC, it moves forward to the Joint PAC/CBO Advisory Committee for review of fiscal impact. The CAC is updated and provided policy information for review and input prior to final submission to the Superintendents' Council for adoption.

#### **P. SCHOOL DISTRICTS' AND LEA CHARTER SCHOOL RESPONSIBILITIES**

Each District and LEA Charter in the Yolo County SELPA may operate special education programs and services as specified in the Local Plan. The District will operate program(s) under the following conditions:

1. Each District and LEA Charter is responsible for approving only its portion of the annual services and budget plans. The development of annual services and budget plans should coincide with the local District and LEA Charter budget process.
2. Any decisions or judgments that are the result of a due process procedure shall be the responsibility of the District of residence or the LEA Charter. Complaints filed against the LEA shall be the responsibility of the program operator.
3. Each participating District and LEA Charter shall cooperate with the SELPA in the provision of staff development activities as specified in applicable sections of the Education Code.
4. Each District and LEA Charter shall provide program, employee, student, and fiscal accountability; budget preparation; staff acquisition and training; and State, Federal and local reporting.
5. Facilities for students with special education services are a District and LEA Charter responsibility. The Districts, Charter LEA, and the County Office will work in collaboration regarding facilities for housing regional programs on District school sites and school sites associated with the LEA Charter.
6. Each District and LEA Charter, through the Superintendents' Council and the Joint PAC/CBO Advisory Committee, will assist the SELPA in

- regional planning, annual student and program evaluation, and fiscal reports as required by State and Federal laws and regulations.
7. Discipline policies in effect at a school site apply to students with disabilities, except as modified by the Individual Education Plan (IEP) team decision, as specified in State and Federal law. These policies are incorporated into the child's IEP and are the responsibility of the site principal. Suspension and expulsion of those receiving special education services carry specific regulations, and will be aligned and implemented according to SELPA policy and procedures.
  8. Pursuant to EC Section 56207, a program transfer may take effect no earlier than the first day of the second fiscal year beginning after the date on which the sending or receiving agency has informed the other agency and the Superintendents' Council. The program transfer may take effect earlier (on the first day of the first fiscal year following that date) if the transfer is unanimously approved by the Superintendents' Council, which is the Governing Board of the SELPA. (Refer to SELPA policy.)

**Q. ADDITIONAL RESPONSIBILITIES OF EACH PARTICIPATING DISTRICT AND LEA CHARTER**

Each participating District and LEA Charter shall perform duties such as but not limited to the following:

1. Meeting the legal requirements for procedural safeguards.
2. Implementing Child Find: Each SELPA, District, LEA Charter, or County Office shall actively and systematically seek out all individuals with special needs, birth through age 22 years, including children not enrolled in public school programs, who reside in the District or are under the jurisdiction of a SELPA or a County Office. LEAs may assist one another in meeting initial assessment responsibilities through coordination of available resources. The Yolo County SELPA has anticipated the provision of a full range of special education programs and services in accordance with known needs; however, when all potential placements have been explored and exhausted and no appropriate public special education program is available, a non-public school placement will be offered. Such placement shall be the responsibility of the District of residence or LEA Charter and subject to the approval of the local Board.
3. Assuring equal access to all programs and services operated by the LEAs.
4. Monitoring the appropriate use of Federal, State, and local funds allocated for special education programs.
5. Placing a student in a comparable special education program when an identified special education student moves into the Yolo County SELPA. An IEP review will be held within 30 days of an interim placement. The LEA receiving a transfer student on an Individual Family Service Plan (IFSP) will follow procedures as outlined in the inter-agency referral policy.
6. Providing parents with a copy of the Yolo County SELPA Parent Handbook, upon referral of each child to special education.

7. Providing parents with an up-to-date copy of their rights, in their primary language or mode of communication, and a list of agencies that provide free or low-cost legal services when requested.
8. Providing parents with information on local alternatives to due process, including informal SELPA Review and Alternative Dispute Resolution such as a Facilitated IEP.
9. Implementing the decision of a complaint investigation or due process hearing officer.
10. Paying any attorney(s) fees required as a result of mediation or an administrative or court procedure.
11. Providing and coordinating transportation for students with special education services residing in the attendance area of the District or LEA Charter as recommended in the IEP and/or IFSP.
12. Assuring full educational opportunities to all students residing within the District or the LEA Charter.

**R. PROGRAM OPERATOR RESPONSIBILITIES**

1. The program will be operated under the guidelines established by the Local Plan Policies and Procedures.
2. Referral, identification, and placement of special education students will be conducted in accordance with applicable Education Code Sections and requirements, as well as pertinent guidelines in the Title 5 California Code of Regulations (CCR).
3. Each program operator will follow procedural safeguards in accordance with State and Federal laws and regulations.
4. All program operators will utilize the same management information forms, procedures, and system.
5. Each program operator shall follow interagency agreements between the State Department of Education and other State Public Agencies, as well as agreements between the SELPA and other local Public Agencies.
6. State and Federal funding does not fully cover the cost of operating special education; therefore, local School Districts and/or Charter Schools will be responsible for funding the difference.
7. The program operator has hiring and firing rights and responsibilities.
8. The program operator will identify the District of residence of an infant or student. Notice of meetings held on behalf of the child will be provided to the District of residence in a timely manner and with sufficient notice to arrange staff attendance.

## **II. SELPA ADMINISTRATION**

The governing Boards of each participating LEA agree to invest the Superintendents' Council with the responsibility of designating an appropriate agency as the AU for the administration and implementation of the Local Plan. The Boards assure that the Superintendents' Council shall identify the need for and designate the positions necessary for the operation of SELPA functions.

### **A. ADMINISTRATIVE UNIT**

The Yolo County Superintendent of Schools serves as the AU for the Yolo County SELPA. The AU is responsible for but not limited to the following functions:

1. Receives and distributes all special education funding.
2. Receives and distributes required funding for grants.
3. Submits to the Superintendents' Council policies and procedures governing regional and District-operated programs and services for adoption.
4. Monitors maintenance of effort requirements.
5. Employs staff.

### **B. SELPA ADMINISTRATOR**

The fundamental role of the SELPA Administrator is to provide leadership and facilitate the decision-making process. The role of the SELPA Administrator includes the provision of information, specific services identified by the Superintendents' Council, technical assistance, leadership, and arbitration. It is the SELPA Administrator's responsibility to represent the interest of the SELPA as a whole, without promoting any particular LEA's interest over the interest of any other agency. In the event of differences of opinions and/or positions on issues, it is the SELPA Administrator's responsibility to mediate a reasonable resolution of those issue(s).

The Superintendents' Council will select, supervise, evaluate, and discipline the SELPA Administrator, but the SELPA Administrator is employed through the Yolo County Superintendent of Schools Office. The SELPA Administrator provides assistance and serves as a special education administrative resource to all the participating agencies.

### **C. RESPONSIBILITIES OF THE ADMINISTRATIVE UNIT AND SELPA ADMINISTRATOR, AS ITS DESIGNEE**

The AU and the SELPA Administrator, as its designee, are responsible for but not limited to the following functions:

1. Developing and providing forms and manuals that will assist the LEAs in complying with procedural safeguards.

2. Coordinating services for eligible students with disabilities with LEAs and other local public agencies through negotiation of agreements, understandings, and ongoing dialogue to assure that all students with special needs have equal access to all programs and services in the Yolo County SELPA.
3. Providing assistance, upon request, in due process proceedings. Due process assistance may include reviewing with parents/guardians local alternatives to due process, such as:
  - Informal SELPA review with the SELPA Administrator or designee
  - Alternative Dispute Resolution
  - Facilitated IEPs, Resolution Sessions, or Settlement Offers
  - Advising the LEA on the results and required corrections of any due process proceedings. If assistance involves serving as the LEA's representative in due process proceedings, the SELPA Administrator is not a respondent or responsible party. SELPA assistance is not intended to take the place of legal representation, which will be an option of the District of residence or the LEA Charter.
4. The AU will be responsible only for implementing any corrections or results of a mediation or due process proceedings when the AU was the respondent or responsible party. The District(s) or LEA Charter is responsible for implementing any corrections or results of a mediation or due process proceeding when the District(s) or LEA Charter is the respondent or responsible party.
5. The AU will be responsible for paying attorney fees only when the AU is the respondent or responsible party. The District(s) or LEA Charter is responsible for paying attorney fees when the District(s) or LEA Charter is the respondent or responsible party.

#### **D. REGIONALIZED OPERATIONS**

Funds for regionalized operations and services and the direct instructional support of program specialists shall be apportioned to the Yolo County SELPA to ensure the functions set forth in the Local Plan. As a condition to receiving those funds, a SELPA shall ensure that all functions listed below are performed in accordance with the description set forth in its Local Plan adopted pursuant to Section 56836.23:

1. Coordination of the SELPA and the implementation of the Local Plan.
2. Coordinated system of identification and assessment.
3. Coordinated system of procedural safeguards.
4. Coordinated system of staff development, and parent and guardian education.
5. Coordinated system of curriculum development and alignment with the core curriculum.
6. Coordinated system of internal program review, evaluation of the effectiveness of the Local Plan, and implementation of a Local Plan accountability mechanism.
7. Coordinated system of data collection and management.
8. Coordination of interagency agreements.

9. Coordination of services to medical facilities.
10. Coordination of services to licensed children's institutions and foster family homes.
11. Preparation and transmission of required SELPA reports.
12. Fiscal and logistical support of the CAC.
13. Coordination of transportation services for individuals with special needs.
14. Coordination of career and vocational education and transition services.
15. Assurance of full educational opportunity.
16. Fiscal administration and the allocation of State and Federal funds pursuant to Section 56836.01.
17. Direct instructional program support that may be provided by Program Specialists in accordance with Section 56368.

**E. PROGRAM SPECIALIST(S)**

SELPA Program Specialist(s) shall be employed by the Yolo County Superintendent of Schools AU for employment purposes and for the provision of SELPA-wide services under the direction of the SELPA Administrator. The Superintendents' Council designates the number and type of Program Specialists based upon the recommendation and advisement of the Joint PAC/CBO Advisory Committee.

The governing LEA Boards recognize the importance of employment of Program Specialist(s) to provide unique and necessary services to the agencies and to pupils in the SELPA. The Program Specialist(s) shall provide the following services:

1. Observe, consult with, and assist special and general education teachers, plus support staff, in accordance with LEA procedures.
2. Plan programs, coordinate curricular resources, and share in the evaluation of the effectiveness of programs for children with disabilities.
3. Assist with LEA staff development, program development, and innovation of special methods and approaches.
4. Provide coordination, consultation, and program development in one or more specialized areas of expertise.
5. Upon request, participate in IEP/IFSP team meetings where technical assistance is needed.
6. Assist in developing training for parents and members of the CAC.
7. Provide staff development and technical assistance for general and special education teachers, administrators, support staff, and parents.
8. Assist as a liaison to various community agencies such as the Department of Human Services, the Alta California Regional Center (ACRC), and California Children's Services (CCS).

**LOCAL INTERAGENCY AGREEMENTS**

California Children's Services of Yolo County  
Alta California Regional Center  
HeadStart

### **III. DISTRIBUTION OF FEDERAL AND STATE FUNDS**

All Federal and State special education funds shall be allocated to the SELPA AU for distribution to the LEAs according to an approved Special Education Funding Allocation Plan. Any changes to the allocation of Federal and State special education funds shall be made by the Superintendents' Council.

#### **A. RESPONSIBILITIES FOR DISTRIBUTION OF FEDERAL AND STATE FUNDS**

The governing Boards of the LEAs participating in the SELPA have agreed that students with disabilities will be provided appropriate special education services. The Superintendents' Council is the designated authority to determine the distribution of all Federal and State special education funds in order for LEAs to carry out their responsibilities. The AU shall be responsible for the distribution of the funds according to an approved allocation plan.

The SELPA Administrator and the CBO of the AU or designee shall develop the annual budget plan for review and approval by the Superintendents' Council. The CBOs shall review the plan prior to the 30-day review by the CAC. The annual budget plan shall be distributed to the Superintendents' Council following the CAC review for adoption. Adoption of the annual budget plan will follow a 15-day posting of a public hearing notice and Brown Act rules as applied to public meetings and agendas.

#### **B. PROVISION OF SPECIAL EDUCATION SERVICES TO STUDENTS WITH DISABILITIES**

It is the intention of the SELPA to provide a full continuum of services to students with disabilities, including students in charter schools, throughout the geographic region of the SELPA. Access to services is through each of the LEAs. The referral, assessment, and IEP/IFSP process are utilized to identify the needs of each individual student with disabilities. The LEAs are committed to policies and procedures to assure that students have access to appropriate services provided through the LRE.

The Program Administrators shall identify, on a regular basis, any unmet needs of students within the SELPA. With the assistance of the SELPA Administrator, the Program Administrators identify the resources that could provide the appropriate services within the SELPA. When services are required beyond the programs and services being provided by any LEA, the Joint PAC/CBO Advisory Committee shall develop a plan for consideration by the Superintendents' Council. Any plan having programmatic or fiscal impact on LEAs shall be reviewed by the Joint PAC/CBO Advisory prior to consideration by the Superintendents' Council.

The Program Administrators shall develop the annual services plan for review and approval by the Superintendents' Council. The annual services plan shall be distributed to the LEAs and the CAC upon approval.



### **C. MONITORING THE USE OF SPECIAL EDUCATION FUNDS**

It is the intent of the SELPA that the needs of students with disabilities, as identified in the IEP/IFSP, shall be met. Funds allocated for special education programs shall be used for services to students with disabilities.

### **D. USE OF FEDERAL FUNDS UNDER PART B AND PART C OF THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA)**

Federal funds under Parts B and C of IDEA may be used for the following activities:

1. For the costs of special education, related services, and supplementary aids and services provided in the general education class or other education-related setting for a student with a disability in accordance with the IEP, even if one or more non-disabled children benefit from these services.
2. For the development and implementation of a fully integrated and coordinated services system.
3. For the provision of applicable services and activities to infants and toddlers (birth-36 months) and their families who are eligible for early intervention services under Part C, as defined in State and Federal law. (Refer to ACRC inter-agency agreement for policies and procedures.)

The SELPA Administrator, with the assistance of the Program Administrators, the CBOs, and the AU, shall be responsible for monitoring annually the appropriate use of all funds allocated for special education programs. Final determination and action regarding the appropriate use of special education funds shall be made by the Superintendents' Council through the annual budget plan process.

### **C. PREPARATION OF PROGRAM AND FISCAL REPORTS**

The SELPA Administrator, with the assistance of the Program Administrators, the Chief Business Officials, and the AU, shall be responsible for preparing all program and fiscal reports required of the SELPA by the State.

### **D. AMENDMENTS TO THE PERMANENT SECTION OF THE LOCAL PLAN**

Amendments to the permanent portion of the Local Plan may be considered during the annual service and budget plan process. The Superintendents' Council may adopt amendments to the permanent portion of the Local Plan on an interim basis, not to exceed one school year. Amendments approved in this manner shall become permanent upon subsequent approval by all LEA governing Boards and the State Board of Education.

**E. AMENDMENTS TO THE ANNUAL SERVICE AND BUDGET PLANS**

The governing Boards of the LEAs agree to designate authority to the Superintendents' Council to approve the SELPA-wide annual service and annual budget plans, and any subsequent modifications.

#### **IV. DISPUTE RESOLUTION**

In the event of a disagreement among LEAs, the LEAs and the AU, the LEAs or between the AU and the SELPA 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 Superintendents' Council that issues be resolved at the lowest level possible in the governance structure outlined in the Local Plan. The Superintendents' Council is considered to be the Board of last resort. This dispute resolution process is intended to resolve disagreements within a period of 45 days, but is not intended to undermine local authority.

1. If an LEA disagrees with a decision or practice of another agency or the SELPA Office, that LEA has a responsibility to discuss and attempt resolution of the disagreement with the party or parties directly involved. The parties involved will present the issues to their respective Superintendents, or designees, who will attempt to resolve the matter.

2. Should resolution not be achieved at an informal level, the following steps shall be followed:

Step 1: Either party may request the direct assistance of the SELPA Administrator to facilitate a resolution session. If the resolution session is unsuccessful, a written notification shall be submitted to the SELPA Administrator and the Superintendents' Council clarifying the disputed issues, and movement to next step in process shall occur.

Step 2: A review of the written notification of disputed issues is submitted to an impartial subcommittee composed of Joint PAC/CBO Advisory Committee members and the SELPA Administrator. Both parties present their side of the dispute. If either party disagrees with the recommendation of the subcommittee, the disputing parties shall retain the services of a neutral third party mediator.

Step 3: The services of a neutral mediator from outside the SELPA are utilized to facilitate a resolution session. If this process fails, the parties may pursue a hearing on the issues and resolution with the Superintendents' Council.

Step 4: The issue will be placed on the Superintendent's Council agenda, with a summation of all events and outcomes included in the Board packet for their review. The Council will hear from the parties and render a decision no later than the next scheduled meeting. The decision of the Superintendents' Council shall be final.

Should the dispute involve inter-SELPA issues and be among the Superintendent Council members, the SELPA Administrator or an outside mediator will facilitate a resolution session. If the resolution session is unsuccessful, the State dispute resolution proceedings will be initiated. To initiate this step, each LEA Superintendent will submit to the SELPA Administrator a written notification regarding the dispute. The SELPA Administrator will submit these notifications to a State arbitrator for review, and mediation will follow. The arbitrator's decision will be final. This procedure is referenced in Education Code Sections 35565, 74281, and 81501; however, in this case the SELPA Administrator

replaces the County Superintendent for LEA dispute matters related to SELPA operations. Should disputes involve the SELPA Administrator; an LEA Superintendent not involved with the dispute will act as liaison to the arbitrator.

## **V. COMMUNITY ADVISORY COMMITTEE AND PUBLIC PARTICIPATION**

Involvement of parents and community in the local education process is a goal of high importance to the Yolo County SELPA. The involvement of special and general education teachers is of equally high value. It is expected that this goal will be facilitated through the CAC.

The CAC of Yolo County is formed to advise Districts, LEA Charter, County Office of Education, and the SELPA Administrators on matters pertaining to the planning and implementation of special education programs and services throughout the Yolo County SELPA as authorized and described in Education Code Sections 56190 and in the Local Plan for special education.

### **A. MEMBERSHIP**

The CAC may include 20 members:

- four appointed by each of the following District Boards: Davis Joint Unified School District, Washington Unified School District, and Woodland Joint Unified School District
- two appointed by each of the following District Boards: Esparto Unified School District and Winters Joint Unified School District
- two appointed by LEA Charter Board— Upon approval as an LEA Charter for Special Education
- two appointed (at large) by the Yolo County Board of Education

All District, LEA Charter, and County Boards are encouraged to have at least one parent representative at all times. As a group, parents shall be a majority of the total committee. All members of CAC shall be charged with the responsibility of serving the SELPA region as a whole.

The SELPA has established the CAC to serve in an advisory capacity to the SELPA. The CAC will have the opportunity to review and provide input on policy and budget development matters prior to action by the Superintendents' Council. Special education teachers, general education teachers, administrators, and parent members of the CAC shall participate in regular consultations regarding policy and budget development. The CAC meets regularly during the school year. The bylaws for the CAC are on file at the SELPA Office.

### **B. RESPONSIBILITIES**

The CAC shall advise the SELPA Director on the planning and operation of the SELPA. The responsibilities shall include all of those defined in the Local Plan, including but not limited to the following:

1. Reviewing the Local Plan.
2. Providing ongoing input on special education services, accountability, and outcomes.

3. Recommending annual priorities to be addressed by the Local Plan.
4. Advocating, supporting, and assisting in parent education.
5. Assisting in recruiting parents and other volunteers who may contribute to the implementation of the Local Plan.
6. Encouraging community involvement in the development and review of the Local Plan.
7. Providing active support of students with disabilities.
8. Providing reviews and input in the development of SELPA policies, procedures, handbooks, and forms.

## **VI. PUBLIC PARTICIPATION**

Members of the public, including parents or guardians of eligible students with disabilities, may address questions or concerns to the governing Boards of the LEAs, the Superintendents' Council, the Program Administrators, the CBOs, and any subcommittees of the above. Each of the above holds regularly scheduled meetings that are open to the public and meet in accordance with the Brown Act.

## **VII. EARLY CHILDHOOD TRANSITION**

The District of residence will be notified and invited to attend any meetings held on the child's behalf. Sufficient notice of meetings will be provided to the District of residence.

### **A. PART C TRANSITION FROM EARLY INTERVENTION SERVICES**

The five District LEAs and LEA Charter in Yolo County shall provide special education and related services to eligible children at age three. An LEA representative shall participate in the transition planning for toddlers who are served by either the LEA or the ACRC under the Early Intervention Services Act, and who may be eligible for preschool programs under Part B of IDEA, after the child becomes two years six months or old, or up but before he/she is two years nine months old to ensure that an IEP has been developed and is implemented by the toddler's third birthday.

For each toddler with an IFSP, starting at age two years six months but no later than two years nine months, the parents, the service coordinator, and the LEA representative, at a minimum, meet to review the child's development, project future needs, consider appropriate services and criteria for enrollment, and develop a transition plan if the toddler is to be eligible for special education and related services under Part B of IDEA.

### **B. PART B TRANSITION FROM PRESCHOOL TO KINDERGARTEN**

Preschool children are reassessed prior to transition from special education preschool programs to general education kindergarten or to other special education programs. Parents, preschool staff, and representatives of the receiving entities take part in the IEP and post-IEP implementation process.



## **VIII. DEVELOPMENT OF THE LOCAL PLAN**

The Local Plan shall be developed and updated cooperatively by a committee of representatives of special education and general education teachers, administrators, representatives of charter schools, and local preschools deemed to be LEAs within the SELPA, and with the participation of parent members of the CAC, or parents selected by the CAC, to ensure adequate and effective participation and communication.

### **A. ROLES IN THE DEVELOPMENT OF THE LOCAL PLAN**

The SELPA Administrator shall be responsible for the coordination of the development of the Local Plan. The SELPA Administrator shall form a subcommittee that includes representatives of charter schools, preschools, general education teachers, and special education teachers selected by the groups they represent.

The CAC membership may include special education parents, general education parents, persons with disabilities, special education teachers, general education teachers, representatives from community agencies, support staff, and administrators. The role of CAC in the development of the Local Plan is to:

- Provide input to the Superintendents' Council.
- Provide a forum for members of the public, including parents or guardians of individuals with special needs who are receiving services under the Local Plan, to address questions or concerns.
- Review drafts.
- Make recommendations to the Superintendents' Council.
- Review the final Local Plan within thirty days before submission.

A Joint PAC/CBO Advisory Committee shall act as a recommendation body to the Superintendents' Council regarding operational policy. The role of the Joint PAC/CBO Advisory Committee in the development of the Local Plan is to:

- Review the input from the sub-committee.
- Review drafts.
- Provide input and make recommendations Superintendents' Council.
- Review the final Local Plan before submission to the Superintendents' Council.

The Superintendents' Council includes a Superintendent representative from each District and County Office of the Yolo County SELPA. The role of the Superintendents' Council in the development of the Local Plan is to:

- Review the recommendations drafts of the CAC and the Joint PAC/CBO Advisory Committee.
- Provide input to the LEA Boards.
- Review and approve the final Local Plan for submission to local governing Boards for approval.

**B. EVIDENCE OF PARTICIPATION IN THE DEVELOPMENT OF THE LOCAL PLAN**

The membership of each of the groups involved in the development of the Local Plan is as follows:

General Educators/Charter

Joint Committee

Program Administrator Committee Members

Jane Plocher, Special Director, Yolo County Office of Education

Agency Representative

Mechelle Johnson, Supervising Counselor, Alta California Regional Center

Non-Public School Representative

Community Advisory Committee Representative

Donnell Kenworthy

SELPA Administration

Camille Giometti-May, Assistant Superintendent

Lisa Young, Program Specialist

The dates of sub-committee meetings to review and provide input into the development of the Local Plan were held as follows:

Meeting Date

March 2, 2015 CAC

April 13, 2015 CAC

March 18, 2015 PAC/Joint Committee

April 15, 2015 PAC/Joint Committee

April 24, 2015 Governance Council

May 22, 2015 Governance Council Adoption

## **IX. REFERENCES**

- Section 504 of the Rehabilitation Act of 1973 (29U.S.C. Sec. 794), Americans with Disabilities Act of 1990(42 U.S.C. Sec. 12101 et seq.)
- Title 20 of the United States Code (20 U.S.C. Sec. 1400-1412 et seq.)
- Section 300.24 of Title 34 of the Code of Federal Regulations
- Education Code Sections 56190
- Education Code Section 56205
- Education Code Section 56360-56369
- Education Code Section 56363
- Education Code Section 56836.03

## **XI. COMMON ABBREVIATIONS AND ACRONYMS USED IN LOCAL PLAN**

AB Assembly Bill (California State Assembly)

AU Administrative Unit

CAC Community Advisory Committee

CBO Chief Business Official

CCR California Code of Regulations

CCS California Children's Services

CDE California Department of Education

CEC California Education Code

CFR Code of Federal Regulations

FAPE Free Appropriate Public Education

IDEA Individuals with Disabilities Education Act

IEP Individualized Education Plan

IFSP Individual Family Service Plan

LEA Local Education Agency

LRE Least Restrictive Environment

PAC Program Administrators' Committee

SB Senate Bill (California State Senate)

SELPA Special Education Local Plan Area

USC United States Code