

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



California Department of Education

Special Education Division

January 2020

SELPA

Fiscal Year

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

Participating Local Educational Agencies

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

Special Education Local Plan Area—Local Plan Requirements

1. Describe the geographic service area covered by the local plan:

SELPA Regions and Participating Local Educational Agencies

The Fresno County SELPA includes all of the Local Educational Agencies, henceforth referred to as LEAs, within Fresno County with the exception of Fresno Unified and Clovis Unified School Districts, which are each a single district SELPA. Charter schools approved as LEAs within the Fresno County SELPA for the purposes of providing special education are also included, if applicable.

The Fresno County SELPA is a multi-district SELPA located in Fresno County. The Fresno County SELPA is divided into four regions with representation from the LEAs, in each region. The SELPA membership includes 30 school district LEAs and the Fresno County Superintendent of Schools, henceforth referred to as FCSS. There are approximately 8,450 students with disabilities enrolled in the member districts. The districts range in size from approximately 45 students in a secluded mountain location to a unified district with approximately 15,500 students. There are 11 elementary districts, 1 high school only district, 2 charter districts, and 16 unified districts.

The districts are adjacent to Merced and Madera counties to the North, Mono and Inyo counties to the East, Kings and Tulare counties to the South, and Monterey and San Benito counties to the West. The Fresno County SELPA Office is located in a Fresno County Superintendent of Schools building.

These participating LEAs have joined in a cooperative effort and have agreed to provide for the coordinated delivery of programs and services to assure equal access to appropriate programs and services to students with disabilities requiring special education and residing in the service region.

Charter schools and charter LEA(s) may serve students residing outside of the geographic boundaries of the Fresno County SELPA in accordance with state law. The Fresno County Superintendent of Schools serves as the Administrative Unit (AU) for the Fresno County SELPA, accepting regionalized services and program specialist funds and the responsibilities that accompany them. The Fresno County Superintendent of Schools is considered an LEA for all purposes of this agreement except where referred to as the AU.

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

The Fresno County Superintendent of Schools serves as the official Administrative Unit (AU) for the Fresno County SELPA to assure the implementation of the Local Plan and SELPA policies, agreements, and procedures of the SGC in cooperation with participating LEAs. The disturbing of the federal and state funds is the responsibility of the Fresno County SELPA in accordance with the Fresno County SELPA's Funding Allocation Plan and policies, agreements and procedures of the SGC. The Fresno County Superintendent of Schools is considered an LEA for all purposes of this agreement except where referred to as the AU.

The Fresno County SELPA Administrator is employed by the AU Superintendent. Employment, supervision, evaluation and discipline follow the FCSS Department of Human

Resources Standard Operating Procedures. When there is an open position, the SGC shall nominate two or more persons to assist in the interview process.

SELPA staff members are employed by the AU upon recommendation from the Fresno County SELPA Administrator. Supervision, evaluation, and discipline of the Fresno County SELPA staff employed by the AU in support of the Local Plan shall be the responsibility of the Fresno County SELPA Administrator.

Description of the Governance Structure

The governing bodies of the Fresno County SELPA are the Superintendents' Governance Council (SGC), the Executive Committee, the Operations Committee, and the Joint Oversight Committee. In addition, the Community Advisory Committee (CAC) acts in an advisory capacity to the Operations Committee to report on issues and activities of the CAC for their review and consideration, and to participate in the development, amendment, and review of the Local Plan.

Superintendents' Governance Council (SGC)

Membership

The Superintendents' Governance Council (SGC) is comprised of Superintendents or an equivalent administrator (charter school Executive Director/Head of School, etc.) representing the governing boards of each of the 31 LEAs in the Fresno County SELPA and the County Superintendent of Schools, who is also a voting member representing Region 4. The County Superintendent of Schools serves as the Chairperson of the SGC, or may appoint a designee to serve as the Chairperson

Designation of Administrative Unit

The SGC maintains a role as the guiding force of the Fresno County SELPA. This role includes requesting, on a four year basis, that the FCSS (or other agency) be the Administrative Unit, henceforth referred to as AU, to carry out the program policies in cooperation with the participating LEAs.

Voting by SGC

LEAs shall receive one vote for every one-hundred (100) Average Daily Attendance (ADA) rounded to the

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nearest whole vote. LEAs with less than 100 ADA shall receive a minimum of one vote. ADA used shall be the most current AB 602 P-2 ADA State certification available. When voting, each LEA must cast its entire allocation as one vote. A quorum exists when SGC members representing a majority of the LEAs and votes are present. Upon establishment of a quorum, action will be decided by majority vote of members present, except in circumstances where state or federal mandates require a unanimous vote.

Meetings

Meetings will be held at least four times annually. Agendas will be developed and minutes recorded by the Fresno County SELPA Administrator or designee and will be distributed prior to meetings. Members representing all 31 LEAs shall attend all meetings and participate in discussions pertaining to special education issues. In the event a superintendent or equivalent administrator is unable to attend an SGC meeting, a request for proxy must be submitted to the County Superintendent prior to the meeting and will be granted for one meeting only.

Duties of the SGC

1. Ensure access to a free appropriate public education for all students represented by the Fresno County SELPA;
2. Make decisions and take action regarding the implementation, administration, financial agreements and operation of special education programs and services in accordance with the Local Plan;
3. Review membership of the Executive Committee to designate holdover members and appoint new members to assure equal LEA representation;
4. Consider input from the Executive Committee;
5. Assure each LEA selects and appoints a representative to the CAC;
6. Keep member LEAs informed of SGC actions and issues.

Special Meetings

The Chairperson of the SGC, or a majority of the 31 members thereof, may call a special meeting of the SGC. All member LEAs of the SGC and the County Superintendent of Schools shall be notified of a special meeting and the purpose for which it is called at least 72 hours in advance of the meeting. Only those items of business listed in the call for the special meeting shall be considered.

Executive Committee

Membership

The Executive Committee is comprised of six Superintendents or equivalent administrators - two each from regions One, Two and Three. The SELPA Administrator represents region Four and chairs the Executive Committee (APPENDIX A).

Meetings

Meetings will be held at least four times annually. Agendas will be developed and minutes recorded by the SELPA Administrator or designee, and will be distributed prior to meetings. A quorum shall be established by a simple majority of the appointed committee members; each member has one vote. Members of the Executive Committee may not delegate voting responsibility to another member or the SELPA Administrator. The SELPA Administrator will maintain a list of Executive Committee members and their appointment dates.

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Duties

1. Recommend action on proposed amendments to the Local Plan to the SGC;
2. Recommend action on proposed revisions to the income distribution model for the allocation of federal, state and local funds for special education programs and services to the SGC;
3. Recommend action on the Annual Service Plan and Annual Budget Plan to the SGC;
4. Recommend changes to the SGC to the Fresno County SELPA policies, administrative regulations, procedures and guidelines for the management and implementation of special education programs and services within the Fresno County SELPA LEAs;
5. Provide direction to the Fresno County SELPA Administrator for regionalized and program specialist services.
6. Approve appropriate cost claims.

Operations Committee

Membership

The Operations Committee is comprised of one member (superintendent, LEA director, coordinator, or principal) from each LEA. The committee is chaired by the Fresno County SELPA Administrator. The chair of the Community Advisory Committee is an ex-officio member of the Operations Committee. In addition, the Community Advisory Committee acts in an advisory capacity to the Operations Committee to report on issues and activities of the CAC for their review and consideration, and to participate in the development, amendment and review of the Local Plan.

Meetings

The Operations Committee will meet eight times annually. Agendas will be developed and minutes recorded by the Fresno County SELPA Administrator or designee and will be distributed prior to meetings. The Fresno County SELPA Administrator will maintain a list of Operations Committee members and their appointment dates.

Duties

1. Address ongoing issues and needs of the Fresno County SELPA and member LEAs;
2. Participate in planning and developing policies, procedural modifications, changes in practice and professional development activities;
3. Advise the SGC and Executive Committees.

Joint Oversight Committee

Membership

The Joint Oversight Committee (JOC) is comprised of four members of the Operations Committee - one from each region; four LEA Chief Business Officers (CBOs) - one from each region. The committee is chaired by the Fresno County SELPA Administrator. The JOC advises the Executive Committee of the SGC.

Meetings

The Joint Oversight Committee will meet at least once annually. Agendas will be developed and minutes recorded by the Fresno County SELPA Administrator or designee and will be distributed prior to meetings.

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Duties

1. Ensure local, state and federal resources are utilized in a cost effective manner, consistent with accountability requirements;
2. Monitor the effectiveness and equitability of the allocation plan;
- 3 .Participate in the development of fiscal revisions to the allocation plan;
4. Ensure that the developed standards for funding allocation purposes are being implemented and followed by each LEA;
5. Review issues to be considered by the Executive Committee to convey any fiscal and programmatic implications

SELPA Administrator

The Fresno County SELPA Administrator shall coordinate the development and implementation of the Local Plan in cooperation with the SGC and the Operations Committee (as required for children ages birth through 21 years). The Fresno County SELPA Administrator has a responsibility to assure access to a full continuum of program options for

all students with disabilities, which may include the coordination of services provided by district of residence, Fresno County Superintendent of Schools, charter school LEAs, nonpublic schools, interagency agreements and memorandums of understanding as necessary. The SELPA Administrator is the direct liaison with the local agencies, other SELPAs and the CDE. The SELPA Administrator assures the development of necessary functions and activities to implement and manage the Local Plan such as providing SELPA staff for technical assistance and special education administrative support for the numerous requirements of federal and state laws and regulations. The Fresno County SELPA Administrator is responsible for presenting the SGC issues to the AU Superintendent for monitoring and review.

Duties

The SELPA Administrator shall include the following:

1. Prepare agendas, minutes and backup documentation for all SELPA meetings;
2. Maintain a list of Superintendents and equivalent administrators and appointment dates for all SELPA committees;
3. Share the list of Superintendents and equivalent administrators and their appointment dates annually with the SGC;
4. Monitor all activities relevant to approval and implementation of the plan.

In accordance with EC 56836.23, the SELPA Administrator shall ensure the required regionalized services functions are met, including, but not limited to the following:

- (a) Coordination of the special education local plan area and the implementation of the Local Plan;
- (b) Coordinated system of identification and assessment;
- (c) Coordinated system of procedural safeguards;
- (d) Coordinated system of staff development and parent and guardian education;
- (e) Coordinated system of curriculum development and alignment with the core curriculum;

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- (f) Coordinated system of internal program review, evaluation of the effectiveness of the local plan, and implementation of a local plan accountability mechanism;
- (g) Coordinated system of data collection and management;
- (h) Coordination of interagency agreements;
- (i) Coordination of services to licensed children's institutions and foster family homes;
- (j) Preparation and transmission of required special education local plan area reports;
- (k) Fiscal and logistical support of the community advisory committee;
- (l) Coordination of transportation services for individuals with exceptional needs; (m) Coordination of career and vocational education and transition services;
- (n) Assurance of full educational opportunity;
- (o) Fiscal administration and the allocation of state and federal funds pursuant to Section 56836.01.

The Fresno County SELPA Administrator shall serve on behalf of the member Local Educational Agencies (LEAs) to implement the Local Plan, which includes regionalized services. Regionalized services are provided to assure access to special education services for all eligible individuals with exceptional needs. The Fresno County SELPA has a responsibility to assure access to a full continuum of program options for these students that may include the coordination of services provided by district of residence, county office of education, charter school LEAs, interagency agreements and memorandums of understanding as necessary.

Agreements or procedures addressing regionalized services and operations shall include but not be limited to the following:

- Coordinated system of identification and assessment.
- Coordinated system of internal program review evaluation of the effectiveness of the Local Plan, and implementation of a Local Plan accountability mechanism.
- Coordinated system of data collection and management.
- Coordination of services to medical facilities.
- Coordination of services to licensed children's institutions and foster family homes.
- Fiscal and logistical support of the Community Advisory Committee (CAC).
- Coordination of transportation services for individuals with exceptional needs.
- Coordination of career and vocational education and transition services.
- Fiscal administration and the allocation of state and federal funds pursuant to Section 56836.23.

3. Describe the SELPA's regional policy making process. Clearly define the roles of a multi-LEA governing body, or single LEA administration as applicable related to the policy making process for coordinating and implementing the local plan:

Policy Making Process

The governing bodies of the Fresno County SELPA are the Superintendents' Governance Council (SGC), the Executive Committee, the Operations Committee, and the Joint Oversight Committee. Policies developed by the SGC become the operating policies for each LEA in the Fresno County SELPA. The Local Plan, when adopted by the Fresno County Board of Education and each LEA's Board of

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Education or equivalent entity, becomes the official policy for the operation of the Fresno County SELPA. Policies, agreements, and procedures have weight of Board action when approved by the SGC.

Amending the Fresno County SELPA Local Plan

The SELPA and its member LEAs may amend the Local Plan any time a change is deemed necessary due to local changes, new legislative requirements, a new interpretation by the courts, or an official finding of noncompliance with federal law, state law or regulations determined by the California Department of Education (CDE). The Superintendents' Governance Council may adopt amendments to the permanent portion of the Local Plan on an "interim" basis, not to exceed 12 months. Amendments approved in this manner would become permanent upon subsequent approval by all LEA governing boards and the State Board of Education (SBE). If this process is followed, the Fresno County SELPA will operate conditionally under amendments approved by the Superintendents' Governance Council until each local board has approved the amendments and they are forwarded to the SBE, and officially approved. A proposal to amend the Fresno County SELPA Local Plan must be approved by a two-thirds majority of SGC members.

Amendments to the Local Plan to revise LEA membership (additions/deletions) shall be approved by the SELPA Superintendents' Governance Council (SGC). Prior to SGC approval, new LEA members and/or termination of LEA members shall be approved through the process as identified in SELPA policies.

Responsibilities of the LEAs in the Policy Making Process

LEA Governing Boards' Responsibility

LEA governing boards, as elected officials, are involved in the policy making process through the local superintendent's or equivalent administrator's participation in the SGC.

Each LEA governing board has the responsibility to assure that there are program options available to all students with disabilities within its attendance area. This is accomplished through the active participation of the SGC members, who shall responsibly address the resource needs of participating LEAs. Each LEA superintendent shall be responsible for informing the LEA governing board of updates and changes to the SELPA policies. LEA governing boards make policy and procedural decisions for programs and services operated by their respective districts. LEAs are responsible for compliance and due process issues for programs which they operate. Each LEA Board shall appoint a representative to the Community Advisory Committee.

- 4. Clearly define the roles of the County Office of Education (COE) as applicable, and/or any other administrative supports necessary to coordinate and implement the local plan:

Role of the Fresno County Superintendent of Schools Administrative Unit (AU)

The Fresno County Superintendent of Schools is designated as the official administrative unit (AU) to assure the implementation of the Local Plan and SELPA policies, agreements, and procedures of the SGC in cooperation with participating LEAs. The distribution of the federal and state funds is the responsibility of the Fresno County SELPA in accordance with the Fresno County SELPA's Funding Allocation Plan and policies, agreements and procedures of the SGC.

The Fresno County SELPA Administrator is employed by the AU Superintendent. Employment,

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supervision, evaluation and discipline follow the FCSS Department of Human Resources Standard Operating Procedures. When there is an open position, the SGC shall nominate two or more persons to assist in the interview process. SELPA staff members are employed by the AU upon recommendation from the Fresno County SELPA Administrator. Supervision, evaluation, and discipline of the Fresno County SELPA staff employed by the AU in support of the Local Plan shall be the responsibility of the Fresno County SELPA Administrator.

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

LEA Charter Schools and New LEA District Members

Charter schools and/or other districts applying for LEA status within the Fresno County SELPA shall submit a justification as specifying why membership as a Fresno County SELPA LEA is preferable to other alternatives. A request by a charter school to participate in the SELPA as an LEA shall be referred to the Fresno County Charter SELPA or one of the four other Charter SELPAS throughout the state. The charter school shall participate in state and federal funding for special education and the allocation plan, and governance of the special education local plan area in the same manner as other LEAs in the Fresno County SELPA.

SELPA Regions and Participating Local Educational Agencies

The Fresno County SELPA includes all of the Local Educational Agencies, henceforth referred to as LEAs, within Fresno County with the exception of Fresno Unified and Clovis Unified School Districts, which are each a single district SELPA. Charter schools approved as LEAs within the Fresno County SELPA for the purposes of providing special education are also included, if applicable.

The Fresno County SELPA is divided into four regions with representation from the LEAs, in each region. Beginning on July 1, 2017, there are 30 school district LEAs and the Fresno County Superintendent of Schools, henceforth referred to as FCSS. These participating LEAs have joined in a cooperative effort and have agreed to provide for the coordinated delivery of programs and services to assure equal access to appropriate programs and services to students with disabilities requiring special education and residing in the service region. Charter schools and charter LEA(s) may serve students residing outside of the geographic boundaries of the Fresno County SELPA in accordance with state law. The Fresno County Superintendent of Schools serves as the Administrative Unit (AU) for the Fresno County SELPA, accepting regionalized services and program specialist funds and the responsibilities that accompany them. The Fresno County Superintendent of Schools is considered an LEA for all purposes of this agreement except where referred to as the AU.

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

COMMUNITY ADVISORY COMMITTEE (CAC) SELECTION AND APPOINTMENT PROCEDURES

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In accordance with E.C. 56190-56194, the Fresno County SELPA Superintendents' Governance Council (SGC) assures that each designated Local Educational Agency (LEA) selects and appoints a representative to the Community Advisory Committee (CAC). Each designated LEA shall appoint one parent/guardian of a student with disabilities who has received or is currently receiving special education services and in addition, the LEA may also appoint one member from special or general education teaching staffs, a parent of a nondisabled pupil, or a member of a local agency's staff. Each designated LEA shall notify the Fresno County SELPA office of their CAC appointment by October 1st of each year. CAC members report to their LEA regarding CAC activities and solicit recommendations for committee consideration and setting of priorities to be address by the Local Plan. Relevant issues are then given to the Fresno County SELPA Operations Committee for review and consideration if appropriate.

Each member may be appointed by the local governing board of each LEA for at least a two- year term with not more than 50% of the committee replaced annually.

The majority of CAC members are required to be parents of special education pupils enrolled in schools participating in the Local Plan. Parents of general education pupils are also encouraged to participate as members of the CAC.

Meetings are held in a convenient location within the county. The schedule of meetings shall be developed annually.

CAC members are encouraged to meet with school administrators, special education teachers, and special education pupil's parents/guardians and service providers to discuss issues relevant to the education of all special education pupils. The Chairperson of the CAC reports on issues and on activities of the CAC to the Operations Committee for their review and consideration. Additional responsibilities include involvement in the development, amendment, and the review of the Local Plan.

A SELPA staff member will be responsible for regular communication and will facilitate coordination of CAC activities.

CAC Community Involvement and Parent Education

CAC members will help distribute information to parents in regards to educational programs offered in conjunction with the CAC, Fresno County SELPA, Regional Coordinating Council (RCC), other community agencies and organizations. Informational materials will be produced and made available to parents upon request and through the Individualized Education Program (IEP) process regarding services available through the Fresno County SELPA. Parents may participate in parent education programs offered regularly by the CAC, by the Fresno County SELPA, Region 7 RCC, other community agencies and organizations.

CAC Supporting Activities

CAC members provide support for activities that affect individuals with exceptional needs such as Special Olympics, legislative issues, legal and IDEA regulations, independent living skills and advocacy services that have an effect on the educational services to children with disabilities and their families.

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7. Describe the SELPA's process for regular consultations regarding the plan development with representative of special education and regular education teachers, and administrators selected by the groups they represent and parent members of the CAC:

In accordance with E.C. 56190-56194, the Fresno County SELPA Superintendents' Governance Council (SGC) assures that each designated Local Educational Agency (LEA) selects and appoints a representative to the Community Advisory Committee (CAC). Each designated LEA shall appoint one parent/guardian of a student with disabilities who has received or is currently receiving special education services and in addition, the LEA may also appoint one member from special or general education teaching staffs, a parent of a nondisabled pupil, or a member of a local agency's staff. Each designated LEA shall notify the Fresno County SELPA office of their CAC appointment by October 1st of each year. CAC members report to their LEA regarding CAC activities and solicit recommendations for committee consideration and setting of priorities to be address by the Local Plan. Relevant issues are then given to the Fresno County SELPA Operations Committee for review and consideration if appropriate

8. Identify and describe the responsible local agency (RLA), Administrative Unit (AU), or other agency who is responsible for performing tasks such as the receipt and distribution of funds, provision of administrative support, and coordination and implementation of the plan:

SELPA Administrator

The Fresno County SELPA Administrator shall coordinate the development and implementation of the Local Plan in cooperation with the SGC and the Operations Committee (as required for children ages birth through 21 years). The Fresno County SELPA Administrator has a responsibility to assure access to a full continuum of program options for all students with disabilities, which may include the coordination of services provided by district of residence, Fresno County Superintendent of Schools, charter school LEAs, nonpublic schools, interagency agreements and memorandums of understanding as necessary. The SELPA Administrator is the direct liaison with the local agencies, other SELPAs and the CDE. The SELPA Administrator assures the development of necessary functions and activities to implement and manage the Local Plan such as providing SELPA staff for technical assistance and special education administrative support for the numerous requirements of federal and state laws and regulations. The Fresno County SELPA Administrator is responsible for presenting the SGC issues to the AU Superintendent for monitoring and review.

Duties

The SELPA Administrator shall include the following:

1. Prepare agendas, minutes and backup documentation for all SELPA meetings;
2. Maintain a list of Superintendents and equivalent administrators and appointment dates for all SELPA committees;
3. Share the list of Superintendents and equivalent administrators and their appointment

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dates annually with the SGC;

4. Monitor all activities relevant to approval and implementation of the plan.

In accordance with EC 56836.23, the SELPA Administrator shall ensure the required regionalized services functions are met, including, but not limited to the following:

- (a) Coordination of the special education local plan area and the implementation of the Local Plan;
- (b) Coordinated system of identification and assessment;
- (c) Coordinated system of procedural safeguards;
- (d) Coordinated system of staff development and parent and guardian education;
- (e) Coordinated system of curriculum development and alignment with the core curriculum;
- (f) Coordinated system of internal program review, evaluation of the effectiveness of the local plan, and implementation of a local plan accountability mechanism;
- (g) Coordinated system of data collection and management;
- (h) Coordination of interagency agreements;
- (i) Coordination of services to licensed children's institutions and foster family homes;
- (j) Preparation and transmission of required special education local plan area reports;
- (k) Fiscal and logistical support of the community advisory committee;
- (l) Coordination of transportation services for individuals with exceptional needs; (m) Coordination of career and vocational education and transition services;
- (n) Assurance of full educational opportunity;
- (o) Fiscal administration and the allocation of state and federal funds pursuant to Section 56836.01.

The Fresno County SELPA Administrator shall serve on behalf of the member Local Educational Agencies (LEAs) to implement the Local Plan, which includes regionalized services. Regionalized services are provided to assure access to special education services for all eligible individuals with exceptional needs. The Fresno County SELPA has a responsibility to assure access to a full continuum of program options for these students that may include the coordination of services provided by district of residence, county office of education, charter school LEAs, interagency agreements and memorandums of understanding as necessary.

Agreements or procedures addressing regionalized services and operations shall include

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but not be limited to the following:

- Coordinated system of identification and assessment.
- Coordinated system of internal program review evaluation of the effectiveness of the Local Plan, and implementation of a Local Plan accountability mechanism.
- Coordinated system of data collection and management.
- Coordination of services to medical facilities.
- Coordination of services to licensed children's institutions and foster family homes.
- Fiscal and logistical support of the Community Advisory Committee (CAC).
- Coordination of transportation services for individuals with exceptional needs.
- Coordination of career and vocational education and transition services.
- Fiscal administration and the allocation of state and federal funds pursuant to Section 56836.23.

9. Describe the contractual agreements and the SELPA's system for determining the responsibility of participating agency for the education of each student with special needs residing within the geographical area served by the plan:

The Fresno County SELPA Superintendents' Governance Council (SGC) approves allocation of resources for the provision of special education programs. Either an LEA or the Fresno County Superintendent of Schools (FCSS) special education programs are the providers of the services or programs. In addition, SELPA staff may be employed to provide areas of specialized expertise, which shall be available to LEAs and FCSS. Memorandums of Understanding (MOUs) or Exchange Agreements may be used to assure a full range of program options for students enrolled in LEAs in the Fresno County SELPA.

10. For multi-LEA local plans, specify:

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

Responsibilities of the LEAs in the Policy Making Process LEA

Governing Boards' Responsibility

LEA governing boards, as elected officials, are involved in the policy making process through

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the local superintendent's or equivalent administrator's participation in the SGC.

Each LEA governing board has the responsibility to assure that there are program options available to all students with disabilities within its attendance area. This is accomplished through the active participation of the SGC members, who shall responsibly address the resource needs of participating LEAs. Each LEA superintendent shall be responsible for informing the LEA governing board of updates and changes to the SELPA policies. LEA governing boards make policy and procedural decisions for programs and services operated by their respective districts. LEAs are responsible for compliance and due process issues for programs which they operate. Each LEA Board shall appoint a representative to the Community Advisory Committee.

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

Responsibilities of each LEA Superintendent

Each LEA superintendent or other equivalent administrator shall represent the LEA as a member of the Superintendents' Governance Council (SGC). The responsibilities of each LEA superintendent and/or equivalent administrator for the implementation of the Local Plan shall be to the following:

- Assure that all special education programs and services are operated in accordance with state and federal law, the Local Plan, and the policies, agreements, and procedures approved by the SGC.
- Assure that the LEA maintains an accounting system adequate to provide federal, state and local reports to include program and fiscal reports required by the Fresno County SELPA.
- Submit Public Law 108-446 (formerly P.L. 101-476) budgets and expenditure reports for grant funds;
- Submit Annual Service and Annual Budget Plans as required in the Local Plan;
- Attend all SGC meetings and participate as a voting member;
- Implement those services assigned to the LEA herein and provided for in local budget plans. Each LEA provides assigned programs and services through its own facilities and staff;
- If the LEA program options do not meet an individual student's needs, assure that an Individualized Education Program (IEP) team is convened to consider a special education program placement in another LEA within the Fresno County SELPA, a program operated by FCSS, or another appropriate placement. The FCSS shall perform the services of an LEA for students with disabilities attending Juvenile Court Schools in the Fresno County SELPA. The LEA of residence shall be

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responsible for the excess costs of providing special education services to any student placed through the IEP team process in another LEA or FCSS-operated program. The LEA of residence shall not be responsible for the excess costs for students with disabilities enrolled in another LEA through any options available to all students (i.e. interdistrict transfers, program improvement, district of choice).

- Transfer the fiscal and case management responsibilities for an identified student to the high school district of residence when the student reaches 14.9 years of age on or before September 1 of each new school year unless the student previously promoted from eighth grade or previously transferred through an IEP team decision. This transfer shall apply when the LEA of residence is an elementary school district, regardless of the district or agency providing the special education service(s). However, Extended School Year services will be the fiscal and case management responsibility of the elementary school district prior to September 1.

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

Special Education Administrators' Responsibilities for LEAs in Coordinating the Administration of the Local Plan

It is the responsibility of each LEA special education administrator and county administrator of special education to assure that all LEA/county policies operate within federal and state laws and regulations.

Each LEA has a responsibility to participate in SELPA committee meetings to facilitate understanding and knowledge in coordinating the administration of the Local Plan. The various committees provide a communication network on current and important issues related to special education laws, regulations, state requirements, and programmatic issues.

Role of the Fresno County Superintendent of Schools Administrative Unit (AU)

The Fresno County Superintendent of Schools is designated as the official administrative unit (AU) to assure the implementation of the Local Plan and SELPA policies, agreements, and procedures of the SGC in cooperation with participating LEAs. The distribution of the federal and state funds is the responsibility of the Fresno County SELPA in accordance with the Fresno County SELPA's Funding Allocation Plan and policies, agreements and procedures of the SGC.

11. Identify the respective roles of the RLA/AU, the SELPA administrator, and the individual LEAs associated with the SELPA related to:

a. The hiring, supervision, evaluation, and discipline of the SELPA administrator and staff employed by the AU in support of the local plan:

The Fresno County SELPA Administrator is employed by the AU Superintendent.

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Employment, supervision, evaluation and discipline follow the FCSS Department of Human Resources Resources Standard Operating Procedures. When there is an open position, the SGC shall nominate two or more persons to assist in the interview process.

SELPA staff members are employed by the AU upon recommendation from the Fresno County SELPA Administrator. Supervision, evaluation, and discipline of the Fresno County SELPA staff employed by the AU in support of the Local Plan shall be the responsibility of the Fresno County SELPA Administrator.

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

Federal and state special education funds shall be allocated to the Fresno County SELPA in accordance with policies and procedures adopted by the Superintendents' Governance Council (SGC). These funds are distributed to Local Educational Agencies (LEAs) according to an approved SELPA Funding Allocation Plan. Any changes to the allocation of federal and state special education funds shall be made by the SGC.

The governing boards of the LEAs participating in the Fresno County SELPA have authorized the SGC to be the designated authority to determine the distribution of federal and state special education funds on behalf of the LEA superintendents or equivalent administrators. The Fresno County SELPA Administrator is responsible to assure that the funds are distributed in accordance with the Fresno County SELPA's Funding Allocation Plan.

Funding for County Operated Special Education Programs and Services

Special education programs operated by FCSS on behalf of the LEAs are supported by county special education property tax in addition to its other state and federal funds. Anticipated excess costs beyond property tax revenues are determined annually by the SGC, with input from the Executive Committee. Funding to support the anticipated excess costs is deducted from each LEA's allocation.

Distribution of Special Education Resources to LEAs for Operation of Special Education Programs and Services

The SGC shall adopt policies for the allocation of special education funds to LEAs. The intent is to assure access and availability of services to all eligible students within the Fresno County SELPA. The Fresno County SELPA shall be responsible for the distribution of special education funds according to policies, procedures and the Funding Allocation Plan, including state apportionments, property tax, federal Local Assistance grants and other additional sources of revenue received by the Fresno County SELPA.

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Funds are allocated for the provision of special education services to individuals with disabilities enrolled in LEAs in the Fresno County SELPA. Services may be provided through funds allocated to a district of residence, to another school LEA, to a charter LEA, to the Fresno County Superintendent of Schools (FCSS) or to the Fresno County SELPA office to assure access to a full range of program options.

The distribution of grant funds follows guidelines and required procedures. Such grants may include Preschool, Early Intervention Part C, Infant Discretionary, Personnel Development for Special Education Local Plan Areas, Low Incidence Equipment and Services, WorkAbility, Transition, Pre-kindergarten Staff Development and Alternative Dispute Resolution. Each LEA that receives funds shall establish and maintain the appropriate accounting records in accordance with and required by state and federal laws. LEAs shall expend these funds in accordance with all state and federal laws. Each LEA shall provide reports requested by the Fresno County SELPA in a timely manner.

Regionalized services and program specialist funds shall be allocated to the Fresno County SELPA office to support regionalized services and other administrative costs to operate the Local Plan. The Joint Oversight Committee shall review and adopt budgets in accordance with Education Code.

Local Control Funding Formula

For students with disabilities served in a special day class, the LEAs and FCSS operated special education programs generate funding from the Local Control Funding Formula (LCFF). FCSS operated special education program budgets, through an MOU between FCSS and the LEAs, receive this revenue via a transfer. A separate special education actual daily attendance (ADA) transfer occurs from the FCSS's business department to the respective districts of residence. These dollars are not part of the Fresno County SELPA's Funding Allocation Plan.

c. The operation of special education programs:

The Fresno County SELPA Superintendents' Governance Council (SGC) approves allocation of resources for the provision of special education programs. Either an LEA or the Fresno County Superintendent of Schools (FCSS) special education programs are the providers of the services or programs. In addition, SELPA staff may be employed to provide areas of specialized expertise, which shall be available to LEAs and FCSS. Memorandums of Understanding (MOUs) or Exchange Agreements may be used to assure a full range of program options for students enrolled in LEAs in the Fresno County SELPA.

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

The LEA superintendent or equivalent administrator of each LEA which receives funds allocated by the Fresno County SELPA is responsible for monitoring the appropriate use of federal, state and local funds. Each LEA that receives federal grant “pass-through” allocations from the Fresno County SELPA shall complete and accurately report proposed budget expenditure reports and other required information.

The Fresno County SELPA Administrator and the Administrative Unit shall be responsible for monitoring the appropriate use of all funds allocated for special education programs and services.

Annual Budget Plan

Fresno County SELPA is required to submit an Annual Budget Plan in accordance with EC 56205(b)(1). The purpose of the Annual Budget Plan is to monitor the appropriate use of federal, state and local funds and to provide the public with an overview of the resources available as allocated within the Fresno County SELPA. The Annual Budget Plan shall be adopted at a public hearing held by the Fresno County SELPA under the direction of the Superintendents' Governance Council (SGC). The Annual Budget Plan shall include the following:

- A. Funds received in accordance with Chapter 7.2 (commencing with Section 56836).
- B. Administration costs of the plan;
- C. Special education services to pupils with severe disabilities and low incidence disabilities;
- D. Special education services to pupils with nonsevere disabilities;
- E. Supplemental aids and service to meet the individual needs of pupils placed in regular education classrooms and environments;
- F. Regionalized operations and services, and direct instructional support by program specialists in accordance with Article 6 (commencing with Section 56836.23) of Chapter 7.2;
- G. The use of property taxes allocated to the special education local plan area pursuant to Section 2572.

12. Describe how specialized equipment and services will be distributed within the SELPA in a manner that minimizes the necessity to serve students in isolated sites and maximizes the opportunities to serve students in the least restrictive environments:

The Fresno County Superintendent of Schools (FCSS) staff provides specialized services, equipment, books and materials to students with Low Incidence disabilities. Low incidence

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disabilities include deaf-blind, deaf, hard of hearing, orthopedic impairment and/or visual impairment. Services are provided to eligible students using an inclusion model in the most appropriate and least restrictive setting. FCSS provides Low Incidence services and support for children, ages birth through 21 years.

Policies, Procedures, and Programs

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

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

Policy/Procedure Number:
Document Title:
Document Location:

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

Yes No

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

Policy/Procedure Number:
Document Title:
Document Location:

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

Yes No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

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

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that an IEP, or an IFSP that meets the requirements of 20 USC Section 1436 (d), is developed, implemented, reviewed, and revised for each child with a disability who requires special education and related services in accordance with 20 USC Section 1414 (d). It shall be the policy of this LEA that an IEP will be conducted on at least an annual basis to review a student's progress and make appropriate revisions." The policy is adopted by the SELPA as stated:

Yes No

5. Least Restrictive Environment: USC Section 1412(a)(5)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that to the maximum extent appropriate, children with disabilities,

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including children in public or private institutions or other care facilities, are educated with children who are not disabled. Special classes, separate schooling, or other removal of children with disabilities from the general educational environment, occurs only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily." The policy is adopted by the SELPA as stated:

Yes No

6. Procedural Safeguards: 20 USC Section 1412(a)(6)

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

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

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that a reassessment of a child with a disability shall be conducted at least once every three years or more frequently, if appropriate." The policy is adopted by the SELPA as stated:

Yes No

8. Confidentiality: 20 USC Section 1412(a)(8)

Policy/Procedure Number:

Document Title:

Document Location:

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"It shall be the policy of this LEA that the confidentiality of personally identifiable data, information, and records maintained by the LEA relating to children with disabilities and their parents and families shall be protected pursuant to the Family Educational Rights and Privacy Act, non-academic programs, and services available to non-disabled children." The policy is adopted by the SELPA as stated:

Yes No

9. Part C to Part B Transition: 20 USC Section 1412(a)(9)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that children participating in early intervention programs under the Individuals with Disabilities Education Act (IDEA), Part C, and who will participate in preschool programs, experience a smooth and effective transition to preschool programs in a manner consistent with 20 USC Section 1437(a)(9). The transition process shall begin prior to the child's third birthday."The policy is adopted by the SELPA as stated:

Yes No

10. Private Schools: 20 USC Section 1412(a)(10)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA to assure that children with disabilities voluntarily enrolled by their parents in private schools shall receive appropriate special education and related services pursuant to LEA coordinated procedures. The proportionate amount of federal funds will be allocated for the purpose of providing special education services to children with disabilities voluntarily enrolled in private school by their parents." The policy is adopted by the SELPA as stated:

Yes No

11. Local Compliance Assurances: 20 USC Section 1412(a)(11)

Policy/Procedure Number:

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Document Title:

Document Location:

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

Yes No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

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

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA to support and comply with the provisions of the governance bodies and any necessary administrative support to implement the local plan. A final determination that an LEA is not eligible for assistance under this part will not be made without first affording that LEA with reasonable notice and an opportunity for a hearing through the State Education Agency." The policy is adopted by the SELPA as stated:

Yes No

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14. Personnel Qualifications

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA to ensure that personnel providing special education related services are appropriately and adequately prepared and trained, and that those personnel have the content knowledge and skills to serve children with disabilities. This policy shall not be construed to create a right of action on behalf of an individual student for the failure of a particular LEA staff person to be highly qualified or to prevent a parent from filing a State complaint with the California Department of Education (CDE) about staff qualifications." The policy is adopted by the SELPA as stated:

Yes No

15. Performance Goals and Indicators: 20 USC Section 1412(a)(15)

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

16. Participation in Assessments: 20 USC Section 1412(a)(16)

Policy/Procedure Number:

Document Title:

Document Location:

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

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Yes No

17. Supplementation of State, Local, and Federal Funds: 20 USC Section 1412(a)(17)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA to provide assurances that funds received from Part B of the IDEA will be expended in accordance with the applicable provisions of the IDEA, and will be used to supplement and not to supplant state, local, and other federal funds." The policy is adopted by the SELPA as stated:

Yes No

18. Maintenance of Effort: 20 USC Section 1412(a)(18)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that federal funds will not be used to reduce the level of local funds and/or combined level of local and state funds expended for the education of children with disabilities except as provided in federal laws and regulations." The policy is adopted by the SELPA as stated:

Yes No

19. Public Participation: 20 USC Section 1412(a)(19)

Policy/Procedure Number:

Policy/Procedure Title:

Document Location:

"It shall be the policy of this LEA that public hearings, adequate notice of the hearings, and an opportunity for comments are available to the general public, including individuals with disabilities and parents of children with disabilities, and are held prior to the adoption of any policies and/or regulations needed to comply with Part B of the IDEA." The policy is adopted by the SELPA as stated:

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Yes No

20. Suspension and Expulsion: 20 USC Section 1412(a)(22)

Policy/Procedure Number:

Document Title:

Document Location:

"The LEA assures that data on suspension and expulsion rates will be provided in a manner prescribed by the CDE. When indicated by data analysis, the LEA further assures that policies, procedures, and practices related to the development and implementation of the IEPs will be revised." The policy is adopted by the SELPA as stated:

Yes No

21. Access to Instructional Materials: 20 USC Section 1412(a)(23)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA to provide instructional materials to blind students or other students with print disabilities in a timely manner according to the state-adopted National Instructional Materials Accessibility Standard." The policy is adopted by the SELPA as stated:

Yes No

22. Over-identification and Disproportionality: 20 USC Section 1412(a)(24)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA to prevent the inappropriate over-identification or disproportionate representation by race and ethnicity of children as children with disabilities." The policy is adopted by the SELPA as stated:

Yes No

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23. Prohibition on Mandatory Medicine: 20 USC Section 1412(a)(25)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA to prohibit school personnel from requiring a student to obtain a prescription for a substance covered by the Controlled Substances Act as a condition of attending school or receiving a special education assessment and/or services." The policy is adopted by the SELPA as stated:

Yes No

Administration of Regionalized Operations and Services

Pursuant to *EC* sections 56195.7(c), 56205(a)(12)(B), 56368, and 56836.23, describe the regionalized operation and service functions. Descriptions must include an explanation of the direct instructional support provided by program specialists; and the respective roles of the RLA/AU, the SELPA administrator, and the individual LEAs associated with the SELPA. Information provided should include the reference number, document title, and the location (e.g., SELPA office) for each function:

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

Reference Number:

Document Title:

Document Location:

Description:

2. Coordinated system of identification and assessment:

Reference Number:

Document Title:

Document Location:

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Description:

3. Coordinated system of procedural safeguards:

Reference Number:

Document Title:

Document Location:

Description:

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

Reference Number:

Document Title:

Document Location:

Description:

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

Reference Number:

Document Title:

Document Location:

Description:

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

Reference Number:

Document Title:

Document Location:

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Description:

7. Coordinated system of data collection and management:

Reference Number:

Document Title:

Document Location:

Description:

8. Coordination of interagency agreements:

Reference Number:

Document Title:

Document Location:

Description:

9. Coordination of services to medical facilities:

Reference Number:

Document Title:

Document Location:

Description:

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

Reference Number:

Document Title:

Document Location:

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Description:

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

Reference Number:

Document Title:

Document Location:

Description:

12. Fiscal and logistical support of the CAC:

Reference Number:

Document Title:

Document Location:

Description:

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

Reference Number:

Document Title:

Document Location:

Description:

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

Reference Number:

Document Title:

Document Location:

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Description:

15. Assurance of full educational opportunity:

Reference Number:

Document Title:

Document Location:

Description:

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

Reference Number:

Document Title:

Document Location:

Description:

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

Reference Number:

Document Title:

Document Location:

Description:

Special Education Local Plan Area Services

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

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Reference Number:	<input type="text" value="SPP 21-02"/>
Document Title:	<input type="text" value="Special Education Local Plan Area Services"/>
Document Location:	<input type="text" value="Fresno County Superintendent of Schools - SELPA Department"/>
Description:	<input type="text" value="See Attached Document"/>

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

Reference Number:	<input type="text" value="SPP 21-02"/>
Document Title:	<input type="text" value="Special Education Local Plan Area Services"/>
Document Location:	<input type="text" value="Fresno County Superintendent of Schools - SELPA Department"/>
Description:	<input type="text" value="See Attached Document"/>

3. A description of a dispute resolution process, including mediation and final and binding arbitration to resolve disputes over the distribution of funding, the responsibility for service provision, and the other governance activities specified within the local plan:

Reference Number:	<input type="text" value="SPP 21-02"/>
Document Title:	<input type="text" value="Special Education Local Plan Area Services"/>
Document Location:	<input type="text" value="Fresno County Superintendent of Schools - SELPA Department"/>
Description:	<input type="text" value="See Attached Document"/>

4. A description of the process being used to ensure a student is referred for special education instruction and services only after the resources of the regular education program have been considered and, where appropriate, utilized:

Reference Number:	<input type="text" value="SPP 21-02"/>
Document Title:	<input type="text" value="Special Education Local Plan Area Services"/>
Document Location:	<input type="text" value="Fresno County Superintendent of Schools - SELPA Department"/>

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Description:

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

Reference Number:

Document Title:

Document Location:

Description:

6. A description of the process by which the SELPA will fulfill the obligations to provide free and appropriate public education (FAPE) to a student age 18 to 21 (or age 22 under the circumstances described in *EC 56026(c)(4)*) who has been incarcerated in a county jail and remains eligible for special education services:

The obligation to make FAPE available extends to those otherwise-eligible adults in county jail, age 18 to 21, who: (a) had been identified as a child with a disability and had received services in accordance with an IEP, but left school prior to their incarceration; or (b) did not have an IEP in their last educational setting, but had actually been identified as a child with a disability. (*EC Section 56040*)

It is the responsibility of the district of residence (DOR) to provide special education services and related services to an adult student in county jail who remains eligible for these services and wishes to receive them. The DOR is the district in which the student's parents resided when the student turned 18, unless and until the parents move to a new DOR. For conserved students, the DOR is based on the residence of the conservator. (*EC Section 56041*)

Reference Number:

Document Title:

Document Location:

Description: