



EL DORADO
COUNTYSELPA

Special Education Local Plan

March, 2003
(Revised 2008)

Dr. Ed Manansala, Superintendent

David M. Toston, Associate Superintendent

**SED-LP-1 - CERTIFICATION OF PARTICIPATION, COMPATIBILITY,
AND COMPLIANCE ASSURANCES**

1. CHECK ONE, AS APPLICABLE: [] Single District [X] Multiple District [] District/County

CDS Code / SELPA Code 0901	SELPA Name El Dorado County SELPA	Application Date
SELPA Address 6767 Green Valley Road	SELPA City Placerville, CA	SELPA Zip 95667
Name SELPA Director (Print) Emi Johnson	SELPA Director's Telephone Number (530) 295-2228	

2. CERTIFICATION BY AGENCY DESIGNATED AS ADMINISTRATIVE AND FISCAL AGENCY FOR THIS PROGRAM (Responsible Local Agency (RLA) or Administrative Unit (AU))

RLA/AU Name El Dorado County Office of Education	Name/Title of RLA Superintendent (Type) Vicki L. Barber, Ed.D.	
RLA/AU Street Address 6767 Green Valley Road	RLA/AU City Placerville	RLA/AU Zip 95667
Telephone Number (530) 295-2229	Date of Governing Board Approval 10-04-08	

3. CERTIFICATION OF ASSURANCES

I certify that this plan has been adopted by the appropriate local board(s) (district/county) and is the basis for the operation and administration of special education programs; and that the agency(ies) herein represented will meet all applicable requirements of state and federal laws, regulations and state policies and procedures, including compliance with the Individuals with Disabilities Education Act, 20 USC 1400 et seq, and implementing regulations under 34 CFR, Parts 300 and 303, 29 USC 705 (20), 794-794b, the Federal Rehabilitation Act of 1973, as amended, and the provisions of the California Education Code, Part 30 and Chapter 3, Division 1 of Title V of the California Code of Regulations.

Signature of RLA Superintendent *Vicki L. Barber* Date 12-22-08

4. CERTIFICATION OF COMPATIBILITY BY THE COUNTY SUPERINTENDENT OF SCHOOLS

Pursuant to Education Code Section 56140, this plan ensures that all individuals with exceptional needs residing within the county, including those enrolled in alternative education programs, including but not limited to, alternative schools, charter schools, opportunity schools and classes, community day schools operated by school districts, community schools operated by the county office of education, and juvenile court schools, will have access to appropriate special education programs and related services.

County Office Name El Dorado County Office of Education	Name of County Superintendent or Authorized Representative Vicki L. Barber, Ed.D.	Title County Superintendent of Schools
Street Address 6767 Green Valley Road	Signature of County Superintendent or Authorized Representative <i>Vicki L. Barber</i>	Date 12-22-08
City Placerville	Zip 95667	Telephone Number (530) 295-2229

5. CERTIFICATION OF COMMUNITY ADVISORY COMMITTEE

(See attached)

FOR DEPARTMENT OF EDUCATION USE ONLY

Recommended for Approval by the Superintendent of Public Instruction:

Date: _____ By: _____ Date of Approval: _____

SED-LP-2 - COMMUNITY ADVISORY COMMITTEE (CAC) CERTIFICATION

CAC signature and verification:		
I certify :	YES	NO
1. that the Community Advisory Committee (CAC) has advised the policy and administrative agency during the development of the local plan pursuant to Education Code (E.C.) Section 56194;	X	
2. that to ensure adequate and effective participation and communication pursuant to E.C. 56195.9, parent members of the CAC, or parents selected by the CAC, participated in the development and update of the plan for special education;	X	
3. that the CAC has had 30 days to review the plan prior to submission to the Local Governing Boards and the California Department of Education for approval pursuant to E.C. 56205 (b)(6);	X	
4. that the CAC has reviewed any revisions made to the local plan as a result of recommendations or requirements from the California Department of Education.	X	
CERTIFICATION OF COMMUNITY ADVISORY COMMITTEE		
Signature of CAC Chairperson <i>Lisa R. Tomasello</i>	Date <i>1/12/2009</i>	
Name of Chairperson (print) Lisa Tomasello, CAC Chairperson	Telephone Number 672-0137	

If you checked [✓] NO for any of the above certifications, you may submit specific information, in writing, as to why you did not certify that the SELPA met the requirement. (Attach separate sheet, if necessary.) The Department will take this into consideration in its review of this local plan application.

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CHAPTER I

ASSURANCE STATEMENT



VICKI L. BARBER, Ed.D., Superintendent
EMI JOHNSON, SELPA Director

SPECIAL EDUCATION LOCAL PLAN AREA
LOCAL EDUCATION AGENCY(LEA)
ASSURANCE STATEMENT

1. FREE APPROPRIATE PUBLIC EDUCATION (FAPE)

It shall be the policy of this LEA that a free appropriate public education is available to all children residing in the LEA between the ages of birth and 21 inclusive, including children with disabilities who have been suspended or expelled from school. Appropriate education is that combination of educational and related service(s) as determined on an Individualized Education Plan (IEP) that meets the unique needs of each individual in order to benefit from his/her access to educational opportunities.

2. FULL EDUCATIONAL OPPORTUNITY

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

3. CHILD FIND

It shall be the policy of this LEA that all children with disabilities, including children with disabilities attending private schools, regardless of the severity of their disability, and who are in need of special education and related services are identified, located and evaluated.

4. INDIVIDUALIZED EDUCATION PROGRAM (IEP)

It shall be the policy of this LEA that an Individualized Education Program (IEP) or an Individualized Family Service Plan (IFSP) is developed, reviewed and revised for each child with a disability who requires special education and related services in order to benefit from his/her individualized education program.

5. LEAST RESTRICTIVE ENVIRONMENT

It shall be the policy of this LEA that to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled. Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment, occurs only when the nature or severity of the disability of the child is such that education in regular classes with the use of supplemental aids and services cannot be achieved satisfactorily.

6. PROCEDURAL SAFEGUARDS

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

7. ANNUAL / TRIENNIAL REASSESSMENT

It shall be the policy of this LEA that a review will be conducted on at least an annual basis to review the child=s progress. This review shall include, but is not limited to, the achievement of annual goals, the appropriateness of placement, and/or to make any necessary revisions.

The LEA shall conduct a reassessment of each child with a disability at least once every three years, or more frequently, if conditions warrant a reassessment or if the child=s parent or teacher requests a reassessment and a new Individualized Education Plan (IEP) to be developed.

8. CONFIDENTIALITY

It shall be the policy of this LEA that the confidentiality of personally identifiable data information as records maintained by the LEA relating to children with disabilities and their parents and families shall be protected at collection, storage, disclosure, and destruction.

9. PART C, TRANSITION

It shall be the policy of this LEA that children participating in Early Intervention Programs, (IDEA, Part C) and who will participate in preschool programs (IDEA, Part B) experience a smooth and effective transition between these programs.

10. PRIVATE SCHOOLS

It shall be the policy of this LEA to assure that children with disabilities voluntarily enrolled by their parents in private school shall receive special education and related services in accordance with local procedures. The required proportion of federal funds received will be allocated for the purpose of providing special education services to children with disabilities voluntarily enrolled in private school by their parents.

11. COMPLIANCE ASSURANCES

It shall be the policy of this LEA that the local plan shall be adopted by the appropriate local board(s) (district/county) and is the basis for the operation and administration of special education programs; and that the agency(ies) herein represented will meet all applicable requirements of state and federal laws and regulations, including compliance with the Individuals with Disabilities Education Act, Section 504 of Public Law and the provisions of the California Education

Code, Part 30.

12.-13.GOVERNANCE

It shall be the policy of this LEA to support and comply with the provisions of the governance structure and any necessary administrative support to implement the plan.

14. COMPREHENSIVE SYSTEM OF PERSONNEL DEVELOPMENT (CSPD)

It shall be the policy of this LEA that it will support and assist the state=s efforts and activities to ensure an adequate supply of qualified special education, general education, and related services personnel.

15. PERSONNEL STANDARDS

It shall be policy of this LEA to make an ongoing, good faith effort to recruit and hire appropriately and adequately trained personnel, as defined by state standards to provide special education and related services to children with disabilities. Where there is a shortage of such personnel, the most qualified individuals available who are making satisfactory progress toward completing applicable coursework necessary to meet state standards, shall be assigned.

16. PERFORMANCE GOALS & INDICATORS

It shall be the policy of this LEA to comply with the requirements of the performance goals and indicators developed by the state and provide data as required by the state.

17. PARTICIPATION IN ASSESSMENTS

It shall be the policy of this LEA that students with disabilities are included in general state and district-wide assessment programs, with appropriate accommodations, where necessary. For those children with disabilities who cannot participate, alternate assessment will be conducted.

18. SUPPLEMENTATION OF STATE/FEDERAL FUNDS

It shall be the policy of this LEA to include this information in the Annual Budget Plan submitted annually to the state.

19. MAINTENANCE OF EFFORT

It shall be the policy of this LEA to provide assurances that funds received from Part B of the IDEA will be expended in accordance with the applicable provisions of the IDEA; will be used to supplement state, local and other federal funds and not to supplant those funds; and will not be used to reduce the level of local funds and/or combined level of local and state funds expended for the education of children with disabilities except as provided in federal law and regulations.

20. PUBLIC PARTICIPATION

It shall be the policy of this LEA that, prior to its adoption of policies and procedures, the LEA shall make the policies and procedures available to the general public, hold public hearings and provide an opportunity for comment by the general public.

21. SUSPENSION/EXPULSION

It shall be the policy of this LEA that data on suspension and expulsion rates will be provided in a manner prescribed by the state.

22. PART C

It shall be the policy of this LEA to submit the Part C (infant/toddler) Local Interagency Agreements to the state as part of the Annual Service Plan.

In accordance with federal and state laws and regulations, _____ (insert SELPA/District name) ensures that policies and procedures covered by this assurance statement are on file at the Local Education Agency and/or SELPA office.

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

Adopted this _____ day of _____, 2003.

Yeas: _____ Nays: _____

Signed: _____, President of Board of Education

Signed: _____, Superintendent of Board of Education

CHAPTER II

MEMORANDUM OF UNDERSTANDING FOR PART C

July 2006

MEMORANDUM OF UNDERSTANDING
BETWEEN
ALTA CALIFORNIA REGIONAL CENTER
AND THE LEAs WITHIN THE FOLLOWING
SPECIAL EDUCATION LOCAL PLAN AREAS

Colusa County SELPA, El Dorado County SELPA,
Elk Grove Unified School District,
Nevada County SELPA, Placer County SELPA,
Sacramento City Unified School District,
Sacramento County SELPA,
San Juan Unified School District, Sierra County SELPA,
Sutter County SELPA, Tahoe/Alpine SELPA,
Yolo County SELPA, and Yuba County SELPA

PHILOSOPHY:

The purpose of this Interagency Agreement is to describe a collaborative standard of practice between Alta California Regional Center (ACRC) and the 13 Alta Catchment Area Special Education Local Plan Areas (SELPAs) as it relates to the delivery of services for children and families served by both agencies. It is the intent of all parties that this agreement will promote the "Collaborative Service Delivery Model" (CSDM) in ACRC's region/and will provide a regional model of service. This agreement outlines the responsibilities of each agency.

PURPOSE OF THIS DOCUMENT:

1. Assure services are provided to mutual students/consumers according to legislative mandates and intents.
2. Encourage a cooperative relationship among all agencies and families.
3. Establish and maintain channels of communication between agencies.
4. Define the financial responsibilities of each agency per IDEA and the Lanterman Act
5. Address transition procedures
6. Develop procedures for resolving disputes.

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APPROVAL:

SPECIAL EDUCATION LOCAL PLAN AREAS (SELPAs)
ALTA CALIFORNIA REGIONAL CENTER (ACRC)

MEMORANDUM OF AGREEMENT

ADMINISTRATION:

ACRC WILL:	SELPAs WILL:
<ol style="list-style-type: none">1. Designate liaisons person(s) who will be responsible for facilitating interaction with the SELPAs;2. Assist in the identification of resources that may facilitate implementation of the IEP;3. Make available to Provide each SELPA with a current list of Service Coordinators /Supervisors by area each August, identifying names and positions. The agency liaison(s) will be identified on the list;4. Designate Service Coordinators to participate in transition meetings;5. Work cooperatively with each SELPA with regards to the review and implementation of this agreement;6. Hold joint training sessions with the SELPAs annually (i.e., IFSP, IEP and IPP process);7. Invite LEAs to participate in the evaluation of the regional centers' performance based contract with DDS as part of the federal and local priority area of system coordination and community education objectives; and8. Notify SELPAs of the Regional Center's "Community meetings".	<ol style="list-style-type: none">1. Designate liaisons person(s) who will be responsible for facilitating interaction with ACRC;2. Assist in the identification of resources that may facilitate implementation of the IPP;3. Provide ACRC with a current staff roster by each September identifying names, positions, and phone numbers of program managers. The liaisons will be identified on the list;4. Designate a representative to participate in transition meetings;5. Work cooperatively with ACRC with regards to the review and implementation of this agreement;6. Hold joint training sessions with ACRC annually (i.e., IFSP, IEP, and IPP process);7. Be responsible for appointing a surrogate parent when needed; and8. Provide a SELPA representative to the Regional Center's "Community meeting(s)".

*SELPAs are defined as SELPAs in the Alta CRC catchment area, and in some cases, its LEAs and/or school districts within the Local Plan Areas.

II. TRANSITION

ACRC and SELPA recognize there are important transitions in each student/consumer's life. These will vary with the student/consumer's needs and may include a change in schools, classrooms, teachers, or grade levels such as from preschool to kindergarten or primary to junior high. Some transition planning is long term and involves years of preparation, such as planning the transition from school to adult life. This process will begin no later than when the student/consumer is 15 years of age. These periods can prove challenging for consumers and parents and require careful collaborative planning with IEP and IPP team members. Whenever possible, it is the intention of both agencies to collaborate with the consumer and parents to assure effective transitions.

SELPA and ACRC will, through a collaborative IEP/IPP/ITP process with the student/consumer, parent(s) and the LEA and ACRC staff, implement a smooth transition from:

1. Infant to preschool programs
2. Preschool to public education
3. Public education setting to an appropriate adult community life experience

ACRC WILL:	SELPA's WILL:
1. Accept all SELPA's referrals for eligibility screening for ACRC services;	1. Meet with ACRC periodically to discuss transitions of all student/consumers, including infants into preschool programs and young adults into services beyond the education system.
2. Meet with SELPA's periodically to discuss transitions of all student/consumers, including infants into preschool programs and young adults into services beyond the education system;	2. Address educational issues through the IEP based on assessment and need.
3. Address services and supports through the IPP process based on assessment and need;	3. Notify ACRC when ITPs require interagency coordination (at 15 and beyond).
4. Participate in the transition IEP/ITP planning for students/consumers;	4. Notify ACRC in a timely manner to coordinate transition from IFSP to joint IPP/IEP;
5. Notify districts in a timely manner to coordinate transition from IFSP to joint IPP/IEP;	5. Notify ACRC when any student/consumer is identified who may require the services of the other in order to more effectively plan and work together on behalf of children and families;
6. Cooperate in planning for Transition Services, planning for school to work and employment opportunities beginning at age 18; and	6. Cooperate in planning for Transition Services, planning for school to work, and employment opportunities beginning at age 18; and;
7. Notify school districts when any student/consumer is identified who may require the services of the other in order to more effectively plan and work together on behalf of children and families.	7. Notify ACRC when a student/consumer graduates, receives a certificate of completion, or withdraws from school as an adult.

III. CHILD FIND

ACRC and SELPAs will provide services to all eligible students/consumers. An active child find or search is operational within the Alta Catchment Area. Both agencies will coordinate search activities. Every effort will be made to provide information to the general public and to public and private agencies about the availability of early intervention services throughout the Special Education Local Plan Areas. *ACRC and SELPAs believe in and will implement joint assessment and planning processes. We will both share resources and attempt to avoid duplication; especially in the assessment process.*

<p>ACRC WILL:</p> <ol style="list-style-type: none"> 1. Refer all infants (at age 30 mos.), preschool and school age children who may need special education and who are not enrolled in a school program, to their school district office for educational assessment and program planning, and provide information necessary to support the referral process; 2. With parent permission, furnish the SELPAs with a list of those children and youth birth - 21 receiving services from ACRC, with each consumer's case manager, each August and January, including those student/consumers who live in licensed children's facilities (LCI's and Foster Family Homes) and the name of the facility. In the case of infants birth—2; the SELPA must be notified by the age of 30 months; 3. Notify the County Office of Education and the appropriate SELPA of the proposed placement by ACRC in a licensed residential facility of any student/consumer potentially eligible for special education (seven school days) prior to LCI placement, in accordance with Government code 7579; 4. In emergencies, ACRC notify by telephone the SELPA office of such emergency placement ASAP, and for placements made by other agencies, ACRC will notify SELPA of residence as soon as they become knowledgeable;and 5. Provide information and community education regarding ACRC services and available community services to the general public, and the LEA. 	<p>SELPAs WILL:</p> <ol style="list-style-type: none"> 1. Notify each appropriate special education student/consumer and/or family of the possible eligibility and planning team process available from ACRC, and advise parents of individuals suspected of having developmental disabilities to contact ACRC for assessment of eligibility for Regional Center services; 2. Refer children and youth suspected of having a developmental disability to ACRC for intake services, if parents so authorize; 3. Respond to all referrals from ACRC of students/consumers birth -21 years of age, and follow mandated timelines; and 4. Provide information and community education regarding special education services to the general public and to Alta.
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IV. EXCHANGE OF INFORMATION

ACRC WILL:	SELPA's WILL:
<ol style="list-style-type: none">1. Disseminate information on services and supports, policies, and procedures (such as confidentiality requirements);2. Secure parental permission to share authorized ACRC information including assessment data that is relevant to the development of the consumer's individual educational program (IEP) and other educational services;3. Provide LEAs with student/consumer assessment/diagnostic/IPP data upon written release by parent/guardian on appropriate SELPA or ACRC consent forms; and4. Notify the SELPA's contact person of the consumer's initial <i>Individual Program Plan</i> (IPP) development meeting within a reasonable period of time and request the school's participation and/or written input; and5. Provide a copy of the IPP authorizing services to SELPA as appropriate.	<ol style="list-style-type: none">1. Disseminate information on services, policies, and procedures (such as confidentiality requirements);2. Secure parental permission to share authorized LEA information, including assessment data that is relevant to the development of the consumer's IPP;3. Provide ACRC with student/consumer assessment/diagnostic/IEP data upon written release by parent/guardian on appropriate SELPA or ACRC consent forms; and4. As appropriate for the development of the IEP of students/consumers, notify ACRC, simultaneous with parent/guardian notification, of the initial and subsequent IEP development meetings, and reviews within a reasonable period of time prior to meeting.

V. ASSESSMENT OF STUDENTS/CONSUMERS

ACRC and SELPAs believe in and will implement joint assessment and planning processes. We will both share resources and attempt to avoid duplication; especially in the assessment process.

<p>ACRC WILL:</p> <ol style="list-style-type: none"> 1. Complete and/or procure psychological, medical and other necessary assessments/information for completion of a comprehensive assessment for the: <ul style="list-style-type: none"> • establishment of a diagnosis, • determination of eligibility, • development of the Individual Program Plan (IPP); 2. Refer appropriate individuals to SELPA/LEA of residence as early as possible for an educational assessment to determine special education needs; 3. Provide and/or coordinate specialized assessments that are specified in the consumer's IPP; 4. Assist parents in obtaining specialized assessments as appropriate in order to implement IPPs; and <p>Share assessment data with LEAs, with parent/guardian permission.</p>	<p>SELPAs WILL:</p> <ol style="list-style-type: none"> 1. When a LEA determines that conducting an assessment is appropriate, the LEA will develop an assessment plan with parent/guardian approval and assess for possible special education eligibility. When an LEA determines that conducting an assessment is not appropriate, the LEA will notify the parent/guardian in writing; 2. Refer potential regional center consumer(s) to ACRC as early as possible; 3. Coordinate, as appropriate, with ACRC in the development of an assessment plan; to identify need for special education services, and to establish eligibility; 4. Assess the student/consumer in areas related to the suspected disability as specified in the assessment plan, and avoid duplication of recent assessments when possible; 5. Provide assessments in areas specified by the assessment plan and/or IEP; and 6. Share assessment data with ACRC, with parent permission.
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For education, every attempt will be made to not use private assessors who potentially may be private service providers, as this is a conflict of interest (Ed. Code 56042). For Regional Center, the decision to purchase a service must be made by the Planning Team (W & I 4646).

VI. IEP and IPP DEVELOPMENT

ACRC AND THE SELPAs BELIEVE IN THE COLLABORATIVE PRACTICE OF CONDUCTING ONE MUTUAL IEP/IPP MEETING. We acknowledge the responsibility of ACRC to develop and implement the IPP and of the LEA to develop and implement the IEP. The intent of this collaboration is to work together for mutual service delivery. In an effort to continue a collaborative working relationship, both ACRC and SELPA will, with parent consent, encourage the inclusion of LEA and ACRC staff, in the development of the IPP/IEP.

<p>ACRC WILL:</p> <ol style="list-style-type: none"> 1. Recognize the educational agency and parent as having the primary responsibility for the determination of the educational placement through the IEP/IPP; 2. Identify the service coordinator as the IPP Team leader, who will convene the meeting, and develop the IPP including generic resources/services; 3. Whenever possible, schedule IEP/IPP meetings concurrently. Recognize/include the IEP as part of the student's/consumer's record and make no changes in the IEP except by agreement of the student's/consumer's IEP team; 4. Have staff available to participate in the development and review of the IEP for ACRC consumers; and/or, with parental written consent, submit written information to the IEP meeting; 5. Be responsible for assuring the provision of residential costs relating to placement of ACRC students/consumers in licensed residential facilities, when such placement is determined to be for other than educational reasons or when ACRC makes a unilateral placement decision, except when otherwise adjudicated; 6. Be responsible for providing service coordination to assure services and supports as stated on the IPP, but not on the IEP; and 7. Utilize only licensed residential facilities which meet Title XVII regulations/qualifications. 	<p>SELPAs WILL:</p> <ol style="list-style-type: none"> 1. Recognize that the Planning Team as defined in the Lanterman Act has the primary responsibility for the determination of Regional Center services through the IEP/IPP; 2. Have the responsibility for identification of the IEP team leader, convene the meeting and develop the IEP, including educationally related services and educational placement. The IEP will be shared with ACRC upon completion with parent permission; 3. Whenever possible will schedule IEP/IPP meetings concurrently; 4. Designate the primary staff member(s) when requested to participate in IPP meetings, and/or, with parental written consent, submit written information to the IPP meeting; 5. When the local education agency determines that an appropriate educational placement for a SELPA resident is not available within the public school sector, seek placement in an appropriate educational program which can fulfill the requirements of an IEP; and be responsible for assuring all educational costs are met; 6. Be responsible for conducting activities to achieve the stated objectives in the IEP, but not in the IPP; and 7. Utilize only non-public schools and agencies that are certified by the Special Education division of the Department of Education.
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VII. TRANSPORTATION FOR RESPITE SERVICES

<p>ACRC WILL:</p> <ol style="list-style-type: none">1. Per the IPP, arrange in-home and out-of-home short-term and long-term respite care and transportation;2. Consult with SELPA/LEA staff regarding the feasibility of transportation from the SELPA/LEA to ensure that the area in which the respite facility is located remains in the district. When a respite placement is outside the district's ability to transport, ACRC will both notify the district and assure provision of transportation from the respite facility to and from school when school is in session;3. The Service coordinator will coordinate alternative transportation needs that result from respite care placement. The SELPA/LEA is not responsible for associated costs, unless otherwise agreed upon in an IEP;4. Notify the SELPA/LEA as soon as ACRC is aware of a consumer's out-of-home respite care placement if it is before or after the school day; and5. In projected longer-term respite care, ACRC may request that an IEP meeting be held to review program and transportation needs.	<p>SELPA's WILL:</p> <ol style="list-style-type: none">1. Consult and coordinate with ACRC staff regarding student/consumer transportation services resulting from provision of out-of-home respite care when said care is for other than educational reasons; and2. Not be responsible for costs incurred for transportation services when student/consumer residential movement is for other than educational reasons.
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VIII. RELATED SERVICES TO STUDENTS/CONSUMERS

<p>ACRC WILL:</p> <ol style="list-style-type: none"> 1. Provide, procure, or refer for evaluations and/or services as indicated on the IPP; 2. Procure non-educationally related social, psychological and/or psychiatric and other medical services for a student/consumer enrolled in a public school program through referral to appropriate generic resources; 3. Through the IEP/IPP planning process with the student/consumer, family, and other IPP team members, assess the needs for and assure provision of services and supports, in accordance with ACRC Services and Supports Guidelines (see Appendix A from those Guidelines) and in accordance with applicable regulations; 4. Collaborate with student/consumer, parents, and LEA regarding assessment, mental health referrals, and provision of services, as deemed appropriate through a collaborative IPP and/or IEP process; and 5. Promote collaboration with other generic resources/agencies. 	<p>SELPA's WILL:</p> <ol style="list-style-type: none"> 1. Provide educationally related services in accordance with the provisions of IDEA that assist a student/consumer to benefit from a Free and Appropriate Public Education (FAPE), as specified in a written IEP; 2. Refer to California Children's Services for assessment/provision of occupational and physical therapy services as appropriate; 3. Provide vision, audiological and health screenings as specified in the Education Code; 4. Refer to County Mental Health services for assessment/provision of all appropriate services, jointly when appropriate; and 5. Promote collaboration with other agencies.
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IX. STUDENT'S/CONSUMER'S PARENTS' RIGHTS AND PROTECTIONS

<p>ACRC WILL:</p> <ol style="list-style-type: none">1. Maintain advocacy role for all ACRC consumers;2. Provide copies of and explain to parents their parent/child procedural rights, including due process procedures under <i>the</i> Lanterman Act/IDEA/Title V regulations;3. Cooperate with the SELPA in exploring appropriate informal methods of resolving concerns, such as mediation, prior to supporting initiation of formal procedures; and4. Adhere to the State Interagency Agreement between the State's Department of Developmental Services and the Department of Education.	<p>SELPA_s WILL:</p> <ol style="list-style-type: none">1. Maintain advocacy role for students/consumers;2. <i>Provide copies of and explain to parents their parent/child procedural rights, including due process procedures under IDEA/Title V regulations;</i>3. Notify all parents of special education students of the procedures for requesting a review of IEPs, initiating due process procedures, and laws pertaining to the education of their child;4. Cooperate with the ACRC in exploring appropriate informal methods of resolving concerns prior to supporting initiation of formal procedures; and5. Adhere to the State Interagency Agreement between the State's Department of Developmental Services and the Department of Education.
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X. STUDENT/CONSUMER RELOCATION

<p>ACRC WILL:</p> <ol style="list-style-type: none">1. Collaborate with education regarding the availability of programs meeting the student/consumer's educational needs when assisting families in making relocation decisions;2. When proposing to relocate student/consumers in the community or when making a placement from a state development center, notify, with parent permission, the LEA or County Office administrator to identify the availability of the appropriate special education and related service(s) prior to effecting the relocation. In the case of an emergency, notification will occur ASAP, i.e., (within five days);3. (The Service Coordinator will) assist the consumer (parent or legal guardian) in reviewing the needs of the consumer with the LEA through the IEP process. With appropriate release of information, notify the LEA in writing of the name and address of legal guardian and the person responsible for representing the student/consumer's education interests;4. Encourage parent or legal guardian to invite participation by appropriate school personnel in planning meetings with parent and potential selected <i>residential caregiver provider</i>, where educational plans and placement may be discussed; and5. When a residential placement is changed on an emergency basis, the SELPA Director will be notified within 24 hours, excluding weekends and holidays.	<p>SELPA's WILL;</p> <ol style="list-style-type: none">1. Assist in the identification of the availability of the appropriate special education programs and related services for student/consumers within the proposed LEA;2. Invite ACRC representative to attend the IEP meetings;3. Assure that a parent surrogate is available when required;4. Implement educational program as specified in the IEP; and5. Assume all educational cost as determined necessary by the IEP team.
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XI. PROGRAM/SERVICES

<p>ACRC WILL:</p> <ol style="list-style-type: none">1. Through a collaborative IEP/IPP planning process with the student/consumer, family, and other IEP/IPP team members, participate and assess the need for and assure provision of appropriate services and supports not available through generic agencies, in accordance with ACRC Service and Supports Guidelines, and in accordance with applicable regulations; and2. Provide students/consumers, parents, and legal guardians with ongoing case management services through the Service Coordinator.	<p>SELPAs WILL:</p> <ol style="list-style-type: none">1. Through a collaborative IEP/IPP planning process with the student/consumer, family, and other IEP/IPP team members, participate and assess the need for and assure provision of a free and appropriate public education, in accordance with state and federal law.
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XII. DISPUTE RESOLUTION

ACRC and SELPAs/LEAs are committed to explore appropriate informal methods of resolving concerns. (see Appendices B and C)

Specific steps will be followed if a problem is perceived between members of LEA staff and ACRC staff having to do with communication or collaboration efforts or when there are differences about which agency is responsible for the assessment, provision, or purchase of appropriate services.

These steps are as follows:

1. Every attempt will be made to resolve the difficulty at the level of its occurrence through direct communication by phone or in person. (Use of a letter to voice a complaint or difficulty should be avoided as first steps).
2. If not resolved, the disputing parties will involve their immediate supervisor in a direct communication or meeting.
3. The use of a neutral mediation team which uses Alternative Dispute Resolution techniques will be used as necessary or if agreement cannot be reached.
4. If this situation needs further attention, the resolution would be between the SELPA Director and the Director of the ACRC or his/her designee.
5. In an attempt to resolve issues between agencies, ACRC and SELPAs/LEAs will contract for a mediation process.
6. If mediation efforts are unsuccessful, either party may choose to initiate the interagency dispute resolution process as outlined by the California Department of Education.

APPENDIX A

FINANCIAL RESPONSIBILITY FOR CHILDREN ELIGIBLE UNDER EDUCATION and REGIONAL CENTER CRITERIA AS CHILDREN WITH AUTISTIC-LIKE BEHAVIORS OR AUTISM

Each agency (ACRC and LEAs within each SELPA) will be financially responsible for services as determined by the IPP planning team process or an IEP team.

EDUCATION:

"A free appropriate public education is available to all children with disabilities residing in the state between the ages of 3 and 21 inclusive..." (Section 612 (a) (1), IDEA 2004). The term "free and appropriate public education" means special education and related services that:

- a. have been provided at public expense, under public supervision and direction, and without charge;
- b. meet the standards of the state education agency;
- c. include an appropriate preschool, elementary or secondary school education in the state involved; and
- d. are provided in conformity with the individualized education program required under section 614 (d) – Section 602 (8) IDEA 2004

The IEP team will be responsible for determining the most appropriate school placement at age 3, based on federal law: Section 612 (a) (5), IDEA 2004 requires LEAs to ensure access to the Least Restrictive Environment for children, by stating "To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled, and special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability of the child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily." Based on this federal law, LEAs will provide services to students eligible under the category of autistic-like behaviors from the continuum of services as defined in each SELPA's Local Plan, as determined by the IEP/IPP team.

1. In accordance with federal and state laws, Local Education Agencies (LEAs) within each SELPA will provide access to a full continuum of placement options and services in accordance with each student/consumer's IEP. Each LEA shall be financially responsible for educational services as determined by the IEP team and all services will be individually designed to provide educational benefit and to meet the unique needs of the student/consumer.
2. LEAs will collaborate with ACRC in providing services to students/consumers who have been identified as eligible as students with autistic-like behaviors or autism, as recommended by the IEP/IPP team, in the following manner, based on a total number of hours of service not to exceed 40 hours per week:
 - a. ACRC and the LEAs will work together to transition the student/consumer into the school setting, in an appropriate educational program, as soon as possible, and as determined by the IEP/IPP team
 - b. Ages 3 through kindergarten eligibility: ACRC provides up to 25 hours per week; LEA provides up to 15 hours per week of an appropriate educational program. (Split: ACRC 62.5%; LEA 37.5%)
 - c. At kindergarten eligibility through first grade eligibility: ACRC provides up to 20 hours per week; LEA provides up to 20 hours per week of an appropriate educational program. (Split: ACRC 50%; LEA 50%)
 - d. At first grade eligibility: ACRC provides up to 10 hours per week; LEA provides up to 30 hours per week of an appropriate educational program. (Split: ACRC 25%; LEA 75%)
 - e. In the case of exceptions, the IEP/IPP team will decide how services will be provided.
3. LEAs will provide special education and related services to students/consumers in accordance with the IEP process when the instruction and services are necessary for the student/consumer to benefit educationally from his or her educational program.
4. All services agreed upon through the assessment and identified needs shall be placed in the student's IEP and be the responsibility of the LEA. Implementation of the IEP will remain the responsibility of the LEA until such time as the service is no longer deemed appropriate for student's progress in the general education curriculum or until the student graduates from school or "ages out" at 22 years of age.
5. LEA staff can make recommendations to the IEP/IPP team, based on research and the child's strengths, needs, and individual learning style. The IEP/IPP team will use this information to help in determining appropriate program plans.

REGIONAL CENTER:

Parents may pursue regional center services under the Lanterman Act and would need to demonstrate that the service is necessary to support integration into the mainstream of life in the community, to approximate the pattern of everyday living available to people without disabilities of the same age, to foster the developmental potential of the person, and to achieve the most independent, productive, and normal life possible. (Welfare and Institutions Code 4502.1)

1. ACRC will be responsible for utilizing resources as required by the Lanterman Act to provide "services and supports necessary to successfully maintain the child at home," since "children with disabilities most often have greater opportunities for educational and social growth when they live with their families." (Welfare and Institutions Code, Article 4, Section 4865)
2. ACRC will collaborate with LEAs in providing services to consumers eligible for services due to autism, as recommended by the IEP/IPP team, in the following manner, based on a total number of hours not to exceed 40 hours per week
 - a. ACRC and the LEAs will work together to transition the student into the school setting, in an appropriate educational program, as soon as possible, and as determined by the IEP/IPP team.
 - b. Ages 3 through kindergarten eligibility: ACRC provides up to 25 hours per week; LEA provides up to 15 hours per week of an appropriate educational program (Split: ACRC 62.5%; LEA 37.5%).
 - c. At kindergarten eligibility through first grade eligibility: ACRC provides up to 20 hours per week; LEA provides up to 20 hours per week of an appropriate educational program. (Split: ACRC 50%; LEA 50%).
 - d. At first grade eligibility: ACRC provides up to 10 hours per week; LEA provides up to 30 hours per week of an appropriate educational program. (Split: ACRC 25%; LEA 75%).
 - e. At second grade eligibility, ACRC can provide appropriate hours in the home for Behavior Intervention Services or Functional Skills training, to address the areas of self-help, functional communication, behavior excesses, and integrating into the family unit. The specifics will be determined by the IPP team.
 - f. In the case of exceptions, the IEP/IPP team will decide how services will be provided.
3. When agreed to by the planning team, objectives will be developed on the IPP to support the purchase of service request.
4. All services provided through the IPP that are the responsibility of ACRC will remain the responsibility of ACRC until changed by the planning team process.
5. ACRC staff can make recommendations to the IEP/IPP team, based on research and the child's strength and, needs. The IEP/IPP team will use this information to help in determining appropriate program plans.

APPENDIX B

ALTA CALIFORNIA REGIONAL CENTER SERVICES AND SUPPORTS GUIDELINES

It is the intent of the Lanterman legislation [Welfare & Institutions, 4500, et seq.] that regional centers assist persons with developmental disabilities and their families in securing those services and supports that maximize opportunities and choices in living, working, learning, and recreating in the community.

It is the intent of the Legislature to ensure that the Individual Program Plan (IPP/IFSP) and provision of services and supports by the regional center system be centered on the individual with developmental disabilities and his or her family, and take into account the needs and preferences of the individual and the family, where appropriate, as well as promote community integration and independent, productive, and normal lives, and stable and healthy environments. It is the further intent of the Legislature to ensure that the provision of services to consumers and their families be effective in meeting the goals stated in the IPP/IFSP, reflect the preferences and choices of the consumer, and reflect the cost-effective use of public resources [W&I 4646(a)]. Alta California Regional Center (ACRC) will work together with the consumer, family, and others to develop and implement a person-centered plan.

The ACRC Board of Directors has adopted these policies and services and supports guidelines. ACRC management and service coordinators will follow these policies and services and supports guidelines in authorizing service requests from consumers, families, and advocates. These policies and services and supports guidelines have been established in accordance with the Lanterman Act which requires that the Regional Center consider the consumer's individual needs when reviewing each service request, while at the same time administering its contract within the level of funding available within the annual budget act. Exceptions to the services and supports guidelines will be made on a case-by-case basis. [W & I 4624, 4791, 4651, 4648].

I. BASIC POLICIES

- A. The right of individuals with developmental disabilities to make choices in their own lives requires that regional centers shall respect the choices of consumers or, where appropriate, their parents, legal guardians or conservators, and provide relevant information in an understandable form to aid consumers in making, their choices [W&I 4502. 1].
- B. ACRC funds shall not be used to supplant the budget of any agency which has a legal responsibility to serve all members of the general public and is receiving public funding [W&I 4648(a)(8)].
- C. Common items and services that are a part of everyday living for all people are not purchased by ACRC [W&I 4791(h)(1)(A)].
- D. W&I Code 4682 requires that the cost of services of consumers living out-of-home may not exceed the average cost of placement and services in a State Developmental Center.
- E. Alta California Regional Center recognizes that the cost of providing necessary services and supports which enable a student/consumer with developmental disabilities to live at home is typically equal to or lower than the cost of providing community based out-of-home placement. The Regional Center will place the highest priority on services and supports which will provide opportunities for children to live with their families when living at home is the preferred objective in the student/consumer's Individual Program Plan. This assistance may include advocacy to assist persons in securing services and benefits to which they are entitled. [W&I 4648(a)(1) & 4685].

- F. All purchases must fit within at least one of the following criteria:
1. to enable the consumer to approximate the patterns of everyday life of non-disabled persons (of the same age) and to lead a more independent life in the community [W&I 4501, 4646(a)];
 2. to maintain children in the family home [W&I 4685];
 3. to prevent or minimize the incidence of developmental disability;
 4. to prevent State Developmental Center placement or the consumer's move to a more restrictive environment,
 5. the planning team shall first consider services and supports in the natural community, home, work, and recreational settings [W&I 4648(a)(2)].
- G. Specific services may be continued when the planning team is satisfied that planned services and supports have been provided and reasonable progress has been made toward objectives for which the service provider is responsible [W&I 4648(a)].
- H. One of the roles of the ACRC service coordinator on the team is to represent the policies of ACRC. The service coordinator is ACRC's qualified professional for the purpose of assessing needs and has the full authority to represent ACRC's policies and procedures at the planning team meeting [W&I 4646(a) through (g) & W&I 4646.5(a)(1)].
- Any disagreement about service (which cannot be resolved by the planning team) must result in a Notice of Action being sent to the consumer and/or his or her legal representative within five working days of the decision to deny that service or support [W&I 47109b)].
- I. ACRC shall not pay any share of cost assessed by Medi-Cal, California Children Services (CCS), or local mental health agencies for services to Regional Center consumers (Department of Developmental Services contract).
- J. The Regional Center, as a part of the planning team process, will make provisions for interpreters to be present at any meeting of the planning team where that service is required and cannot be provided from the natural community or other generic resource.

II. USE OF ALTERNATIVE RESOURCES

The Regional Center shall identify and pursue all possible sources of funding for consumers receiving Regional Center services. This comprises both public and private sources, including, where appropriate, personal funds and family resources. ACRC will not pay for a service when another source may be required to pay upon application and request. In addition, the Regional Center shall take into account, in identifying the consumer's service needs, the family's responsibility for providing similar services to a student/consumer without disabilities. [W&I 4648(a)(8) 4659(a)(1)(2) & 4791(a)(1)(A)].

When third party payment is denied and appeal rights exhausted, the service coordinator shall document the basis for denial in the consumer's record and attach a copy of the denial to any related purchase of service request.

When the IFSP or IPP requires that an assistive device be provided to the consumer, that equipment

must be clean, serviceable, and safe. It need not be new equipment. Any assistive device or equipment

provided to the consumer within the mandates of the Lanterman Act remains the property of the State of California, is meant to be used only by the consumer, and must be returned to the Regional Center when no longer serviceable or appropriate for use by the consumer, per the Standard Agreement/ Contract, State Department of Developmental Services, and Alta California Regional Center.

III. PROVIDER SELECTION

Services and supports shall be purchased only from providers who adhere to the quality of care standards as set forth by ACRC, the Department of Developmental Services, and California regulations related to the service. No service or support provided by any agency or individual shall be continued unless the consumer or, where appropriate, his or her parents, legal guardian, or conservator, is satisfied and the Regional Center and the consumer or, when appropriate, the person's parents or legal guardian or conservator agree that planned service and supports have been provided and reasonable progress towards objectives have been made.

The Regional Center and consumer, or where appropriate his or her parents, legal guardian, conservator, or authorized representative shall, pursuant to the Individual Program Plan, consider all of the following when selecting a provider of consumer services and supports: [W&I 4648(a)(6)].

- A. a provider's ability to deliver quality services or supports which can accomplish all or part of the consumer's Individual Program Plan.
- B. a provider's success in achieving the objectives set forth in the Individual Program Plan.
- C. where appropriate, the existence of licensing, accreditation, or professional certification.
- D. the cost of providing services or supports of comparable quality by different providers, if available.
- E. the consumer's, or where appropriate, the parents', legal guardian's or conservator's choice of providers;
- F. the ability of the provider to empower consumers and their families, when appropriate, to make choices in their own lives, including where and how they live; their relationships with people in the community; the way they spend their time, including education, employment and leisure; the pursuit of their personal future; and program planning and implementation. Cultural preferences and the values of consumers and their families shall also be considered when purchasing services and supports.

IV. IPP DEVELOPMENT FOR PURCHASE OF SERVICE

- A. The IPP/IFSP is a written plan that is developed by the planning team. The planning team is the individual with developmental disabilities, the parents or legally appointed guardian of a minor consumer or the legally appointed conservator of an adult consumer, one or more Regional Center representatives, including the designated Regional Center service coordinator and any individual including a service provider, invited by the consumer, the parents or legally appointed guardian of a minor consumer, or the legally appointed conservator of an adult consumer [W&I 4512(j)].

It is the policy of Alta California Regional Center that unconserved adults be given the opportunity to invite family or others to their IPP/IFSP meeting.

- B. The IFSP or IPP is developed by consensus of the consumer or the consumer's legal representative and the ACRC representative. If agreement on services cannot be reached at the initial planning team meeting, provisions for any delay in reaching consensus must

comply with Section W&I 4646(f). Disagreement about any particular item in the IPP/IFSP does not prohibit those items on which agreement has been reached from being put into place [W&I 4646(f) & (g)]

- C. The decision to purchase a service must be made by the planning team. The team is charged with the responsibility of making decisions for a consumer based on that person's unique developmental deficits and treatment needs. A decision to [initiate or] retain a particular service or treatment is the province of the planning team and no other person or body. Such decision-making process is the province of the entire team and not a mere portion of the team. No individual team member's preference may take the place of the planning team or the team's duty to deliberate over what is or is not an appropriate program or service, nor its duty to decide whether other programs can serve the consumer's needs or whether that program is the most cost-effective method of service delivery.
- D. All purchased services for consumers in active and Early Start status must be related to an objective in the IFSP or IPP, and the types and amounts of service must be specified in the plans. Purchases shall be written to expire at the end of the month of the consumer's third birthday or sooner for Early Start infants [W&I 4646.5(a)(4)]
- E. All purchased services must be time limited [W&I 4646.5, 4648(7)].
- F. All documentation required by this policy must be completed in full and attached to the purchase of service (POS) request when submitting to the unit supervisor for review.
- G. A request for emergency authorization shall meet the conditions and requirements for such authorizations.

V. RE-AUTHORIZATION

Re-authorizations are treated the same as original authorizations.

VI. PRIOR AUTHORIZATION

All services purchased for consumers must be authorized in writing prior to purchase. No payment will be made for any services that were not requested and approved [by a service coordinator] prior to the service being given. The only exceptions to this policy are described under "Emergency Authorizations."

VII. EMERGENCY AUTHORIZATION

An emergency is a situation when, without intervention by the Regional Center, the consumer would be in immediate risk to his or her health, safety, or life. Emergency authorizations and exceptions shall be approved by a Director of Consumer Services, Executive Director, Director of Clinical Services, or Director of Administrative Services. Every effort will be made to provide emergency authorizations in writing to the vendor by fax if necessary.

A consumer's needs may dictate exceeding volume or duration, or purchase of a service not provided for within the Services and Supports Guidelines.

APPENDIX C

DISPUTE AVOIDANCE PRINCIPLES

The following are recognized by the Parties as principles which will guide them in avoiding disputes between: 1) agencies; and 2) agency and persons with developmental disabilities.

1. Best Efforts/Standards of Practice:

Both agencies are always trying to do their best for the people they serve.

2. Talent, Dedication, Competency, and Hard Work:

All staff members, at each agency, are talented, dedicated, competent, and hard working.

3. No Inherent Conflict:

There is no inherent conflict between agencies which requires them to take an adversarial position toward each other.

4. Services Based on Assessed Need:

Assessed needs will determine appropriate services.

5. Case Loads:

We acknowledge that everyone works very hard.

6. Perspective and Understanding:

We will try to "seek first to understand" and try to fully understand the problem from the other agency's perspective.

7. Cautious Adverse Judgments:

Both agencies will take great care to be very cautious and suspect in forming judgments.

8. Motive:

Agencies should always assume action by the other agency is based on proper motive.

9. Unified Effort:

In every case (even where disagreement exists) a unified effort, by both agencies, is preferable to a divided effort.

10. Consumer Interest:

A positive relationship between the agencies is good for their constituent consumer interests.

Appendix D

DISPUTE AVOIDANCE PROCEDURES

1. Annual Mutual Benefit Training:

SELPA's and ACRC

Each agency will conduct an annual training for the benefit of other agency staff on the interests, obligations, duties, and responsibilities under its respective statutory mandates (The Lanterman Act, Welfare and Institutions §§ 5600 et seq.; 5 CCR 3000 et seq.)

2. Consultation Meetings:

Unless otherwise not feasible, individual SELPA's and ACRC shall schedule consultation meetings to discuss issues with the potential for joint obligations.

3. Consumer Representations:

Before any decision is made or action taken, consumer representations regarding services of a negative nature regarding any SELPA or ACRC, shall be communicated using the dispute resolution process first, then in writing to the respective appropriate agency in order for the agency to be provided an opportunity to provide its viewpoint. Such viewpoint shall be considered.

4. Presumptions of Proper Action:

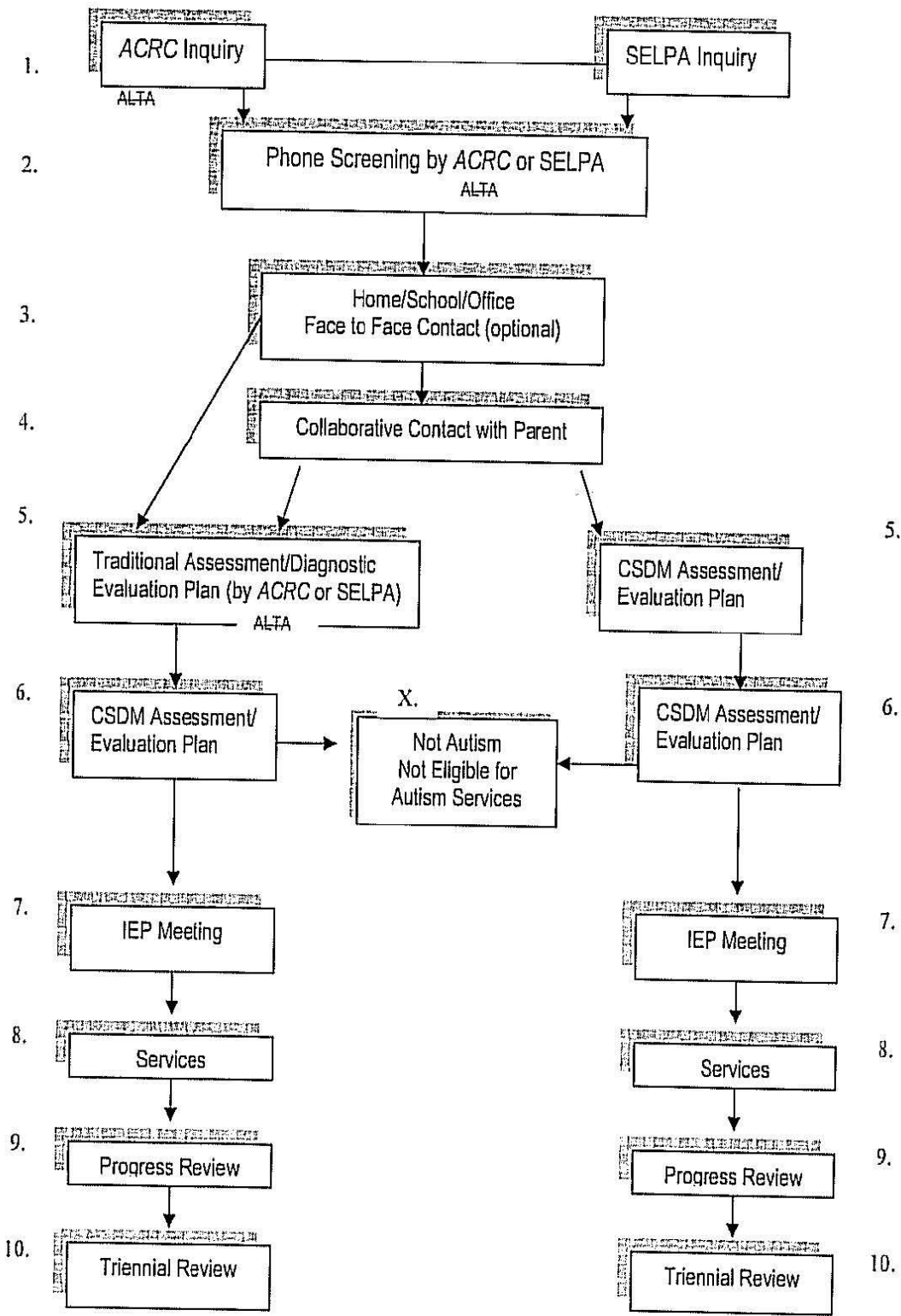
Evidence Code § 664 which requires that it be presumed that every public official has regularly performed his/her duty, shall be honored in practice and in spirit. The burden of proving impropriety by SELPA's or ACRC shall always remain with the complainant who shall be required to produce relevant, material, and credible evidence of impropriety.

5. Collaborative Service Delivery:

The SELPA's and ACRC are committed to a Collaborative Service Delivery Model which aspires to a seamless service delivery system for the children and families we serve.

Appendix E

Collaborative Service Delivery Model (CSDM) Summary Flowchart



CHAPTER III
GOVERNANCE AND ADMINISTRATION
(Revised 2008)

GOVERNANCE AND ADMINISTRATION

PURPOSE

The El Dorado County SELPA is composed of fourteen local educational agencies (LEAs) of El Dorado County including thirteen school districts and the office of the County Superintendent of Schools. The El Dorado County SELPA has designated the Office of Education as the Responsible Local Agency (RLA) and the County Superintendent of Schools as the Superintendent of the RLA.

The function of the Special Education Local Plan Area and participating agencies is to provide a quality educational program appropriate to the needs of each eligible child with a disability who resides within the Local Plan Area.

All such programs are to be operated in a cost effective manner consistent with the funding provisions of Education Code Section 56700 et seq, IDEA, all other laws and policies, and the procedures of the El Dorado County Special Education Local Plan Area.

CHANGES IN THE GOVERNANCE STRUCTURE

Any changes in the governance structure of the El Dorado County Special Education Local Plan Area, including the dividing of the SELPA into more than one operating entity, changing the designation of and/or responsibilities of the Responsible Local Agency, are subject to specific Provisions of Education Code Sections 56140, 56195, et seq., 56195.7 et seq., 56200 et seq., and 56205 et seq.

1. Any local agency which is currently designated as a Local Education Agency (LEA) participating in the El Dorado County Local Plan for Special Education may elect to pursue an alternative option from those specified in Education Code Section 56195.1 by notifying the appropriate county superintendent at least one year prior to the date the alternative plan would become effective (E.C. 56195.3(b)).
2. Any alternative plan of an LEA is subject to the approval of the county superintendent of the county or counties which would have school districts as participating agencies in the alternative plan. (E.C. 56195.1)
3. Approval of a proposed alternative plan by the appropriate county superintendent may be based on the capacity of the district(s) to ensure that special education programs and services are provided to all children with disabilities. (E.C. 56140(b))
4. If an alternative plan is disapproved by a county superintendent, the county office shall return the plan with comments and recommendations to the district(s). The district or districts participating in the alternative plan may appeal the decision to the Superintendent of Public Instruction. (E.C. 56140 (b) (2))

5. Any alternative plan to be submitted by a district or a group of districts currently participating in the El Dorado County Special Education Local Plan Area must meet the standards established by the State Board of Education and not adversely affect the size and scope status of the current local plan geographic area.
6. Any changes in the designation of the responsible local agency for the El Dorado County Special Education Local Plan Area must conform to the above code provisions and the administrative provisions and the administrative provisions for approval as specified in the Local Plan.

Disagreements among the participating agencies of the El Dorado County Local Plan are attempted to be resolved within the standard operating procedures and committee structure. If not resolved at a lower committee level, the issue would come to the El Dorado County superintendent=s council for discussion and resolution.

GOVERNANCE STRUCTURE OF THE PLAN

California Education Code Section 56200 (c) (2) requires that the Local Plan, "specify the responsibilities of each participating county office and district governing board in the policy-making process, the responsibilities of the superintendent of each participating district and county in the implementation of the plan, and the responsibilities of district and county administrators of special education in coordinating the administration of the plan." In accordance with this provision, the El Dorado County Consortium for Special Education has developed the following governance structure and policy development and approval process.

RESPONSIBILITIES OF EACH GOVERNING BOARD IN THE POLICY- MAKING PROCESS AND PROCEDURES FOR CARRYING OUT THE RESPONSIBILITY

The governing board for each school district and the County Board of Education approves the Agreement for Participation and the Local Plan for Special Education. As described within those documents, the Boards of Education delegate the administrative policy-making process and procedures for carrying out that responsibility to the governance structure of the SELPA.

RESPONSIBILITIES OF SUPERINTENDENTS

An Executive Committee of Superintendents from school districts and the SELPA Director, representing the County Office of Education, has been formed. The District Superintendents serving on the committee shall be appointed by the Superintendents=Council. The SELPA Director from the County Office of Education shall be responsible for preparing agendas, scheduling and conducting meetings, and preparing support documents as appropriate for each meeting. The Executive Committee shall meet as needed to consider the recommendations from the Special Education Steering Committee for the establishment of policy and general guidelines regarding implementation of special education programs and services. The Executive Committee shall be responsible for the following:

- A. Approval and monitoring of the regionalized service fund budget;
- B. Approval of policy for special education programs and services which relate to the Consortium;
- C. Approval and monitoring of the discretionary fund budgets, i.e., P.L. 94-142 funds, special projects, etc.;
- D. Addressing specific needs of individual districts and the county as the need arises;
- E. Organizing the subcommittees as necessary to meet special needs of the Consortium;
- F. Receiving and reviewing input from the Special Education Advisory Committee.

Minutes of the Executive Committee meetings shall be transmitted to the full membership of the Superintendents' Council. In addition financial issues regarding special education and other issues which it felt should be considered by the Superintendents' Council shall be placed on the agenda for discussion and/or action at one of the regularly scheduled meetings.

SUPERINTENDENTS' COUNCIL

A Superintendents' Council is in operation in El Dorado County, consisting of Superintendents from each of the participating school districts, and the County Office of Education. Regular meetings are held with the Council. A SELPA Superintendents= Council will be formed which includes the Superintendents described below. The SELPA Superintendents= Council shall consider recommendations submitted by the Executive Committee and take action as appropriate. The SELPA Superintendents= Council shall have final authority to act upon fiscal and policy recommendations made by the SELPA Steering Committee and Executive Committee. Policies recommended by the Executive Committee shall be disseminated to the full membership of the SELPA Superintendents= Council for final action. Each member of the SELPA Superintendents= Council shall assume responsibility for communication and presentation to their respective Governing Boards of Education of the adopted policy, and to all LEAs whom they represent. Effective July 1, 2001, SELPA Superintendents= Council shall be comprised of the following with LEA representation:

- § One High School District - 1 (El Dorado Union High School District)
- § One Unified School District - 1 (Black Oak Mine Unified)
- § One LEA Charter School (To be determined in the future)
- § One Necessary Small School District - 2 (Selected from Indian Diggings or Silver Fork)
- § Three Direct Service Elementary Districts (Selected from Gold Trail, Camino, Gold Oak, Pioneer, Latrobe)
- § One - The County Office of Education
- § Three Elementary School Districts (Selected from Buckeye, Rescue, Mother Lode, Placerville, and Pollock Pines)

This model applies to voting membership on the SELPA Superintendents= Council, and does not preclude the attendance of all member districts and/or LEA Charters at regular meetings. The Superintendents in each respective group shall select representatives to

the SELPA Superintendents= Council. For the LEA Charter(s), CEO=s from LEA Charters shall select the representative.

RESPONSIBILITIES OF EACH DISTRICT AND COUNTY ADMINISTRATION

The Special Education Steering Committee has been formed which is comprised of representatives from school districts; LEA Charter (as applicable); and the County Office of Education as follows:

- § One High School District - 1 (El Dorado Union High School District)
- § One Unified School District - 1 (Black Oak Mine Unified)
- § One LEA Charter School (To be determined in the future)
- § One Necessary Small School District - 2 (Selected from Indian Diggings or Silver Fork)
- § Three Direct Service Elementary Districts (Selected from Gold Trail, Camino, Gold Oak, Pioneer, Latrobe)
- § One - The County Office of Education
- § Three Elementary School Districts (Selected from Buckeye, Rescue, Mother Lode, Placerville, and Pollock Pines)

A Charter School=s representation on the SELPA Steering Committee is treated as any other LEA, if they so qualify. As an LEA they have the right to representation with the same membership privileges as any other LEA. If the Charter School does not qualify as an LEA, they are to be represented by their sponsoring district.

This representational model applies to voting membership on the Special Education Steering Committee, and does not preclude the attendance of all member districts and/or LEA Charters at regular meetings. The Superintendents from each LEA and the CEO from Charter LEAs shall select representatives to the Committee. Each District Superintendent, CEOs from Charter LEAs, and the County Superintendent shall designate a representative(s) from their respective agency to serve on the Special Education Advisory Committee (Community Advisory Committee). The Steering Committee shall meet on a regular basis to develop implementation strategies and for the purpose of coordinating special education programs and services throughout the county. The group shall be ongoing and have continuing responsibility to propose and review policies, receive input from the Special Education Advisory Committee and to develop implementation procedures necessary to carry out adopted policies in accordance with state and federal mandates.

The El Dorado County Office of Education SELPA Director shall serve as the Chairperson of the Special Education Steering Committee. The SELPA Director shall be responsible for scheduling and conducting meetings of the Steering Committee, distributing agendas for the meeting, providing a communication channel between the Steering Committee and the Special Education Advisory Committee, and disseminating information for review and/or material which has been adopted by the Steering Committee.

Recommendations made by the Special Education Steering Committee on matters including, but not limited to: financial issues for special education, policies for special education operation, and regional expenditure budgets, shall be submitted to the Executive Committee. The SELPA Steering Committee shall recommend policy and fiscal changes by voting on proposed amendments and/or additions. The SELPA Director shall be responsible for communicating any of the above matters as well as sending minutes to the Executive Committee and Special Education Advisory Committee (SEAC).

PROCEDURE FOR DETERMINING THE RESPONSIBILITY OF EACH PARTICIPATING AGENCY TO PROVIDE SPECIAL EDUCATION AND TO ASSURE ACCESS TO SPECIAL EDUCATION AND SERVICES FOR ALL INDIVIDUALS WITH EXCEPTIONAL NEEDS RESIDING IN THE GEOGRAPHIC AREA SERVED BY PLAN

The district of residence shall be responsible for providing special education programs and/or services to each individual with exceptional needs residing within district boundaries. The district of residence may utilize any of the following options, in order to develop or determine an appropriate public education program for a special education pupil and in accordance with the least restrictive environment philosophy.

- A. Remain in regular education program with supportive assistance.
- B. Placement in a district-operated special education program and/or services;
- C. Referral and consideration for placement in a County Office of Education program and/or service;
- D. Referral and consideration for placement in another district operated special education program and/or service;
- E. Referral and consideration for placement in a public agency special education program and/or service, other than an educational agency;
- F. Referral and consideration for placement in a nonpublic, nonsectarian school and/or agency for special education program and/or service;
- G. Referral and consideration for diagnostic services and/or placement in a state school.

In accordance with the Agreement for Participation, the SELPA Director may provide assistance to the district of residence in the discharge of the responsibility delineated above.

Students enrolled in charter schools are to be considered for special education services in a similar manner to students enrolled in other public schools. Funding for special education services, participation in the governance structure and responsibility for provision of services shall be based on the categorization of the individual charter school. Policies and procedures relating to Charter Schools are to be developed cooperatively with input from charter schools within the SELPA.

A charter school may purchase special education services from the SELPA, County Office of Education or any other appropriate source in order to provide the full continuum of placement options to students with disabilities. While the County Office of Education and school districts within the SELPA provide services to all students whose

parents and/or legal guardians reside within the geographic boundaries of the SELPA, services to students whose parents and/or legal guardians reside outside the SELPA's geographic area shall be individually negotiated. The County Office of Education and districts within the SELPA retain the right to bill for services provided to students attending Charter Schools whose parents and/or legal guardians reside outside the SELPA. Charter schools chartered by entities outside of El Dorado County, serving students who reside within the SELPA may not access any program or services without specific written agreement between the Charter school and the entity providing the service. Such services are not limited to educational services but may include extra-curricular activities and programs.

The RLA and LEAs do not bill back for excess costs of program operations. The only excess cost bill back agreement in place through 2008/09 provides for the RLA to bill LEAs the excess cost of providing transportation services to district students in district programs. Beginning in 2009/10, the County Office of Education may begin to charge a portion of the excess cost for special education transportation services for students being served in El Dorado County Office of Education special education programs.

AGREEMENT FOR PARTICIPATION

**EL DORADO COUNTY CONSORTIUM LOCAL PLAN
FOR SPECIAL EDUCATION**

PHILOSOPHY STATEMENT

It is the goal of the El Dorado County Consortium for Special Education that all pupils with exceptional needs receive an appropriate program without regard to the district of residence. It is the intent of the Consortium that special education programs be coordinated and operated throughout the County in accordance with the governance structure.

The _____ SCHOOL DISTRICT, hereinafter referred to as "LEA" and the EL DORADO COUNTY OFFICE OF EDUCATION, hereinafter referred to as "RLA" mutually agree as follows:

DEFINITIONS

LEA: Local Education Agency, as described in Education Code Section 56025.

RLA: Responsible Local Agency, as described in Education Code Section 56030.

Special Education: Members are composed of district representatives who meet on a regular basis to coordinate the activities of the Master Plan Objectives.

El Dorado County Local Plan: An agreement between the El Dorado County Office of Education and the school districts of El Dorado County to provide a comprehensive plan to educate all handicapped individuals.

Special Education Advisory Committee (CAC): Membership is composed of citizen members, the majority of whom are parents, to advise on the implementation of the Local Plan.

SELPA Superintendents' Council: Members are composed of select members of the District Superintendents, LEA Charter CEOs, and the County Superintendent of Schools who meet regularly to direct and supervise the implementation of the Local Plan.

Executive Committee: An ad hoc committee appointed by the Superintendents' Council and including the SELPA Director. The purpose of the Committee is to approve a policy and make recommendations on special education financial matters to the SELPA Superintendents' Council.

IEP (Individualized Education Program): A plan that describes the child's current abilities, sets annual goals and instructional objectives, and describes the education services needed to meet these goals and objectives.

IEP Team: A group of team members, as defined in Education Code 56341, who meet for the purpose of determining student eligibility for special education and developing, reviewing, or revising a pupil's IEP and recommendations for placement.

LEA RESPONSIBILITIES AND DUTIES:

The LEA as a participant in the Local Plan shall perform the following for its own pupils and its respective programs operated by the LEA:

- A. Select, compensate and determine the duties of the special education teachers, instructional aides, and other personnel as required to conduct the program specified in the Local Plan, and in compliance with state and federal mandates;
- B. Conduct those programs operated by the LEA in conformance with the Local Plan and the state and federal mandates;
- C. Organize and administer the activities of the IEP Teams, including the selection of the LEA staff and who will serve as members of the IEP Team in conformance with the Education Code Section 56341 and in compliance with the Local Plan;
- D. Organize and maintain the activities of the Resource Specialist Program in conformance with Education Code Section 56362; the Designated Instruction and Service in conformance with Education Code Section 56363; and Special Classes and Centers in conformance with Education Code Section 56364; and in compliance with the Local Plan;
- E. Provide facilities as required to house the programs conducted by the LEA;
- F. Provide for the acquisition and distribution of the supplies and equipment for the programs conducted by the LEA;
- G. Provide and/or arrange for such transportation services as may be required to provide the special education programs specified that are conducted by the LEA;
- H. Cooperate in the development of curricula for the classes and the development of program objectives with the RLA. Cooperate in the evaluation of the programs as specified in the Local Plan, with the RLA;
- I. Cooperate in the development of the procedures and methods for communicating with the parents and/or legal guardians of the individuals served in conformance with the provisions of the Local Plan with the RLA;
- J. Provide for the documentation and reporting of assessment procedures used for the placement of individuals and the security thereof. Provide for the continuous review of placements and the assessment procedures employed to insure their effectiveness and applicability, and insure the continued implementation and compliance with eligibility criteria;
- K. Provide for the integration of individuals educated under this agreement into the regular school programs and provide for evaluating the results of such integration according to specifications of the Local Plan;
- L. Conduct the review of individual placements requested by the parents and/or legal guardians of the individual in accordance with the Local Plan;
- M. Prepare and submit all required reports, including reports on student enrollment, program expenditures, and program evaluation;
- N. Designate a person to represent the LEA on the Special Education Steering Committee to monitor the implementation of the Plan and make necessary recommendations for changes and/or modifications;
- O. Designate a representative for the LEA to serve on the Special Education Advisory Committee, in accordance with Education Code Section 56192-56193 and pursuant to the procedures established in the Local Plan;
- P. Designate the LEA Superintendent to represent the LEA on the SELPA Superintendents' Council to supervise and direct the implementation of the Plan;

- Q. Receive special education funding for instructional units, support services, special education transportation, and nonpublic school placements directly from the state in accordance with the Allocation and Budget Plan and in accordance with the funding generated by the specific LEA computation completed, for district programs maintained by the LEA.

RLA DUTIES AND RESPONSIBILITIES:

Pursuant to the provisions of Education Code Section 56030 et seq., the RLA shall receive and distribute regionalized service funds, provide administrative support, and coordinate the implementation of the El Dorado County Local Plan for Special Education in school districts in the County specified in the Local Plan and approved by the State Board of Education. In addition, the RLA shall perform such services and functions as required to accomplish the goals set forth in the plan. Such services include, but are not limited to, the following:

- A. Act as agent for districts participating in the Plan as specified in the Local Plan. Receive, compile and submit required enrollment reports and compute all special education apportionments as authorized under Education Code Section 56710. Receive data from each LEA to compile and submit budgets for the programs and monitor the fiscal aspects of the program conducted. Receive the special education apportionments of Regionalized Services as authorized under Education Code Section 56710;
- B. Coordinate with the LEA in the development and implementation of a systematic method for referring and placing individuals with exceptional needs who reside in the District, including the methods and procedures for communication with the parents and/or guardians of the individuals according to procedures in the Local Plan;
- C. Coordinate the development and implementation of curriculum and program objectives and provide for continuous evaluation of the special education programs in accordance with the Local Plan;
- D. Ensure the organization and maintenance of the Special Education Advisory Committee (CAC) as part of the responsibility of the RLA to coordinate the implementation of the plan pursuant to Education Code Section 57170(c). Provide for the attendance of designated members of the RLA's staff at all regularly scheduled Special Education Advisory Committee meetings;
- E. Coordinate community resources with those provided by LEA and the RLA, including providing such contractual agreements as may be required;
- F. Organize and maintain the Special Education Steering Committee to monitor the operations of the Local Plan and make recommendations for necessary revisions, including, but not limited to:
 - 1. Monitoring the application of eligibility criteria throughout the Local Plan area;
 - 2. Coordinating the implementation of the transportation for special education pupils;
 - 3. Coordinating the system of data collection, management, and evaluation;

4. Coordinating personnel development and curriculum development for special education, including alternative dispute resolution;
 5. Coordinating the identification, referral, assessment, instructional planning, and review procedures, including the communication with parents and/or legal guardians regarding rights and responsibilities for special education;
 6. Developing interagency referral and placement procedures; and,
 7. Evaluating the effectiveness of special education programs.
- G. Support the SELPA Superintendents' Council by attendance and participation of the County Superintendent and/or designees at meetings;
 - H. Provide for regular inservice training for RLA and LEA staff responsible for the operation and conduct of the Local Plan. Regular inservice training may also be provided to SEAC representatives;
 - I. Provide the method and the forms to enable the LEA to report to the RLA on student enrollment and program expenditures. Establish and maintain a pupil information system;
 - J. Provide assistance to the LEA upon request from LEA administration, or individual cases, including but not limited to:
 1. Complaint issues;
 2. Hearing issues; and
 3. Identification of appropriate programs for specific pupils.
 - K. Perform other services necessary to the administration and coordination of the Plan;
 - L. Continue to establish and maintain those programs and services requested through the governance structure and agreed to by the County Superintendent of Schools;
 - M. Receive special education funding for instructional units, support services, special education transportation and nonpublic school placements directly from the state in accordance with the Allocation and Budget Plan and in accordance with the funding generated by the RLA computations completed by the County Office of Education for programs maintained by the RLA. Property taxes are handled per state requirements as an offset to the revenue limit;
 - N. Schedule a public hearing at the County Office of Education for purposes of adopting the Budget Plan.

PROVISIONS OF THE AGREEMENT

- A. Position classification identified for use within the Master Plan shall be subservient to and controlled by the provision of the LEAs and the RLA unit determination rulings as set forth by the Educational Employment Relations Board.
- B. Each representative to the Consortium is prohibited from engaging in any form of negotiations regarding any matters within the mandatory scope of bargaining that would affect any other public education agency.
- C. The managerial prerogatives of any participating unit shall not be supervised or infringed upon by any other participating unit unless such functions are expressly and specifically required by one participating unit or another upon mutual consent, or unless as set forth by this agreement.

- D. At least a year prior to any requested change, any participating Governing Board may petition to reconsider their participation in the Consortium makeup. The Special Education Steering Committee, Executive Committee, and SELPA Superintendents' Council shall be notified. The participating unit(s) may then request cooperation and approval from the El Dorado County Office of Education in order to proceed and develop a Local Plan for Special Education.
- E. The LEAs and the RLA in El Dorado County shall continue to manage and operate programs in their respective units in accordance with Education Code Section 56172. Whenever necessary they will make every effort to make their programs available to students living outside of the LEA, while maintaining direct responsibility for the operation of those programs. By December 15 of the year prior to any proposed change, any participating school district or county office may request a change in operating programs for the subsequent year.
- F. The SELPA Superintendents' Council shall have the responsibility and right to monitor and correct any special education matter which affects the entire Special Education Local Plan Area. The RLA staff shall be responsible for coordinating and informing the governance structure on any such matter.
- G. The LEAs and the RLA will maintain responsibility for program administration for the service they provide. All administrative requirements that govern that unit will be in effect regarding special education services. The Superintendent and/or Administrators of Special Education in each LEA and in the RLA will be responsible for the daily operation of their respective programs.
- H. The student program placement will remain the responsibility of the respective LEA and the RLA. Student admission and transfer will be regulated through respective district and county board policies and respective district and county procedures established in accordance with the identification, assessment, instructional planning and placement set forth in the Local Plan. The district of residence for each pupil shall approve a placement in any other agency. Each agency of service shall have the right to determine if the agency can provide a free, appropriate public education for the pupil.
- I. The activities of the special education staff will be the responsibility of the respective LEA or RLA. The procedures that are operable for personnel evaluation in each unit shall continue to be utilized. All units shall recruit, interview, and hire special education staff as needed to provide continuity and service to their special education students.
- J. Annually the Special Education Steering Committee shall be responsible for preparing and recommending an Allocation and Budget Plan for submission to the Executive Committee and Superintendents' Council. The SELPA Superintendents' Council shall be responsible for approving the Allocation and Budget Plan. Following approval by the Superintendents' Council, a public hearing shall be scheduled by the RLA. The public hearing shall be held at a County Board of Education meeting for purposes of adopting the Budget Plan.

ADMINISTRATIVE FUNCTIONS NECESSARY FOR IMPLEMENTATION OF THE PLAN

The Special Education Steering Committee is charged with coordinating special education programs and services and developing procedures for implementation of the Local Plan. The Executive Committee and SELPA Superintendents' Council are charged with overseeing the operations of the Local Plan, adopting policy for implementation of the Local Plan, and transmitting adopted policies to the Governing Boards of Education.

The El Dorado County Superintendent and the County Office of Education shall serve as the RLA. The SELPA Director shall provide a coordinative function and serve as staff to each of the governance entities described previously. Smooth and efficient operation of the administrative structure assures a successful implementation of the Local Plan for Special Education, and in accordance with state and federal mandates.

In accordance with Ed. Code 56205(a)(D)(ii)(I) the RLA is responsible for the hiring, supervision and discipline of the administrator of the Special Education Local Plan Area (SELPA Director) and staff employed by the administrative unit (El Dorado County Superintendent of Schools and the County Office of Education) in support of the Local Plan.

EVALUATION

E. C. 56600 was written, in part, to ensure that SELPAs participate with all State efforts to provide for an ongoing comprehensive evaluation of special education programs in order to refine and improve programs, policies, regulations, guidelines, and procedures on a continuing basis, and to assess the overall merits of these efforts.

The El Dorado County SELPA shall submit annually all information required by the California Department of Education, Special Education Division, in this effort, including statistical data, program information, and fiscal information related to the programs and services for children with disabilities in the El Dorado County SELPA.

The SELPA Administration will be responsible to collect all data required by the California Department of Education related to special education budgets and services, and report them annually.

SELPA staff will support all members of the SELPA in the collection of data related to compliance, due process procedures, availability of services, key performance indicators, etc., as needed.

DATA COLLECTION AND DEVELOPMENT OF MANAGEMENT INFORMATION SYSTEMS

California Department of Education requires of each SELPA the collection of specified data in such a manner as to be communicative with the Management Information System of the State.

The SELPA shall design and implement a data collection and storage system that will provide for the management and reporting of required data for state and federal systems. The SELPA will continue to work with the State=s Department of Management Information System to collect and report all required data related to special education fiscal and program services, and to provide other pertinent information necessary for the operation of the SELPA.

The SELPA staff will support all the districts in the SELPA in their collection and reporting of required data.

The SELPA staff will strive to support a system which is responsive to the data needs of the districts.

The SELPA staff will implement a continuous improvement model of data collection.

PROVISION FOR ONGOING REVIEW OF PROGRAMS

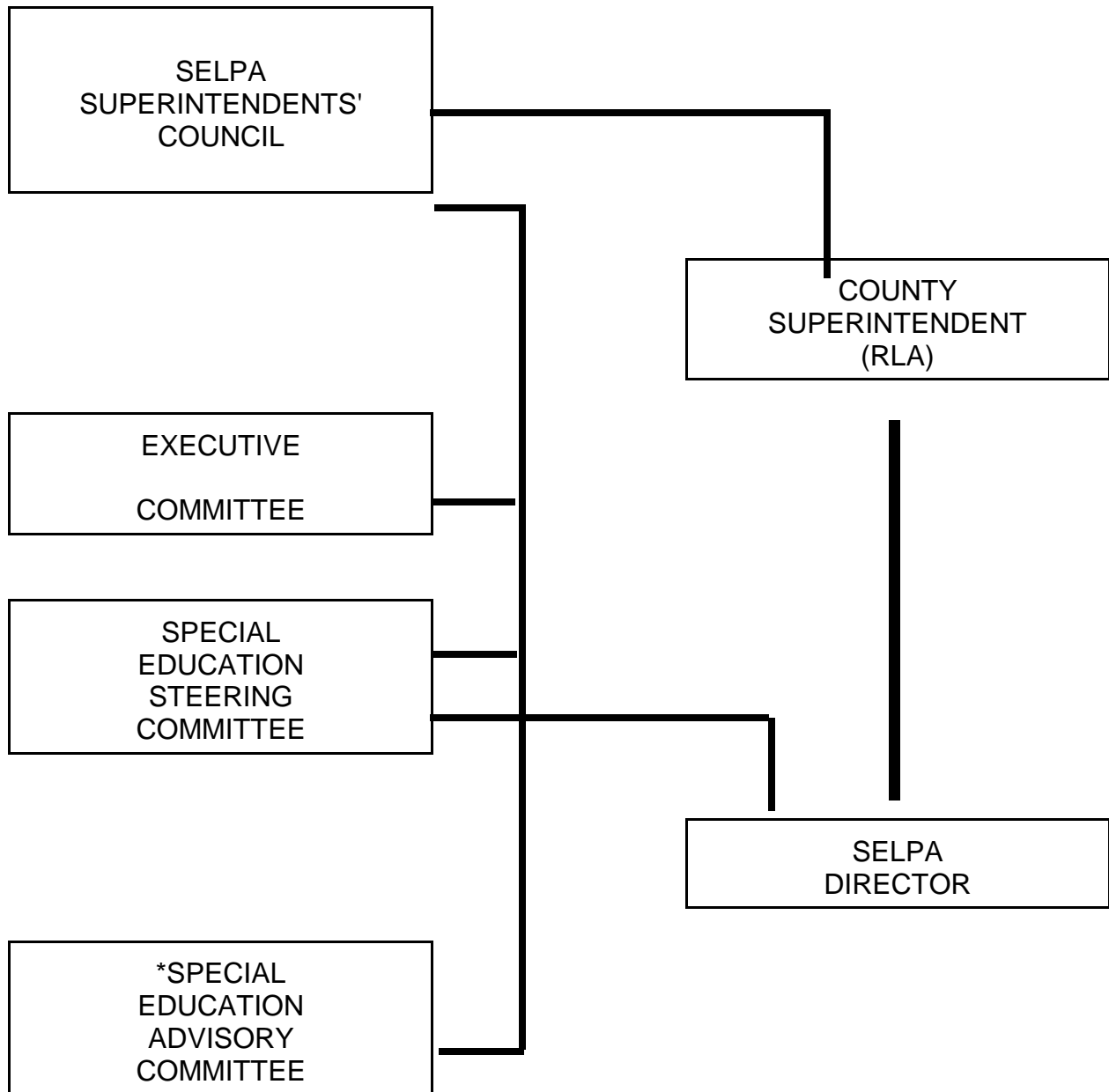
The State has in place a system for review of the special education programs in the districts. It is the responsibility of the SELPA to support the delivery of effective programs and services in its districts, to support a continuum of appropriate service options, to improve the quality of the programs offered, and to monitor them and participate in review processes, including the Quality Assurance Process, the Procedural Safeguards and Complaints processes and mediation and due process procedures.

The El Dorado County SELPA endeavors first to provide adequate information, resources and support to all its member districts, so that they may deliver compliant, quality services. Further, SELPA staff will, under the direction of the Executive Committee and Superintendent=s Council, and in conjunction with SEAC, participate in all State review processes and any local review processes to ensure that appropriate and necessary services are offered for all children with disabilities and to support continuous improvement of those services.


The SELPA will ensure that adequate information related to all areas of compliance is available to all the member LEAs.

The SELPA will ensure the availability of a full continuum of options, supplemental aids and services, and regionalized programs, for all children with disabilities, severe low incidence, non-severe and early childhood.

CONSORTIUM GOVERNANCE AND COMMUNICATION STRUCTURE



*The Special Education Advisory Committee is the Community Advisory Committee which has been established pursuant to Education Code Section 56190.

Staff Support 
 Communication Flow 

DECISION PROCESS FOR SELECTION OF RLA AND EMPLOYMENT OF SELPA STAFF

Each participating agency within the SELPA, through governing board action, has requested the El Dorado County Office of Education be designated the RLA (Administration Unit) for the SELPA. The Agreement for Participation included within the Local Plan specifies the responsibilities of each participating agency and the County Office as the RLA. As described within the Agreement for Participation, the County Office (RLA) has the responsibility to employ SELPA staff in accordance with the Regionalized Service Budget.

RESPONSIBILITY OF THE ADMINISTRATIVE UNIT FOR MEETING LEGAL REQUIREMENTS FOR PROCEDURAL SAFEGUARDS

Pursuant to the provision of Education Code Section 56030 et seq., the RLA shall receive and distribute regionalized service funds, provide administrative support, and coordinate the implementation of the El Dorado County Local Plan for Special Education in school districts in the County specified in the Local Plan and approved by the State Board of Education. In addition the RLA shall perform such services and functions as required to accomplish the goals set forth in the Plan. The Agreement for Participation specifies the services to be included. A partial list is provided below.

EQUAL ACCESS TO ALL PROGRAMS AND SERVICES

The Agreement for Participation specified that the RLA shall:

1. Coordinate with the LEA in the development and implementation of a systematic method for referring and placing individuals with exceptional needs who reside in the District, including the methods and procedures for communication with the parents and/or legal guardians of the individuals according to procedures in the Local Plan;
2. Organize and maintain the Special Education Steering Committee to monitor the operations of the Local Plan and make recommendations for necessary revisions, including, but not limited to:
 - a. Monitoring the application of eligibility criteria throughout the Local Plan area.
 - b. Coordinating the implementation of the transportation of special education pupils.
 - c. Coordinating the system of data collection, management, and evaluations.
 - d. Coordinating personnel development and curriculum development for regular and special education educators, to provide a comprehensive program and a full continuum of staff development options.
 - e. Coordinating the identification, referral, assessment, instructional planning, and review procedures, including the communication with parents and/or legal guardians regarding rights and responsibilities for special education.
 - f. Developing interagency referral and placement procedures.
 - g. Evaluating the effectiveness of special education programs.

ADVICE TO PARENTS ON AVAILABILITY OF FREE OR LOW COST LEGAL SERVICE

As noted in the description above, the RLA is responsible for coordinating the development and implementation of the procedures for communicating with parents and legal guardians. The Parents Rights notices are included within this coordination effort, and the specification of free or low cost legal services is part of the Rights Notice. The SELPA Director maintains information on availability of free or low cost legal service and provides such information on request.

COMPLAINTS AND THE CORRECTION OF IDENTIFIED PROBLEMS

The Agreement for Participation specified that the RLA shall provide assistance to the LEA upon request from LEA administration, on individual cases, including but not limited to:

1. Complaint issues
2. Hearing issues
3. Identification of appropriate programs for specific pupils

DUE PROCESS

As noted above, the RLA shall provide assistance to the LEA upon request for hearing issues and due process concerns. In addition the Agreement for Participation calls for the RLA to perform other services necessary to the administration and coordination of the Plan.

Prior to requesting a formal due process, parents are welcome to address the governing boards or individual. Parents could speak at the County Board, or District Boards, Executive Committee, SELPA Steering or CAC. They are welcome to call or meet with SELPA, Director or County staff.

Alternative Dispute Resolution (ADR) is also available to all parties to seek resolution prior to formalized mediation or due process. (ED 56205(b)(4)).

PROCESS FOR ALLOCATING PROGRAM SPECIALIST SERVICES THROUGHOUT THE REGION

The SELPA does currently employ program specialist(s). In addition, in accordance with Education Code 56780, all coordination responsibilities for program specialist services as outlined are fully supported through the governance structure of the SELPA. This includes the administrative staff, program specialist services, Steering Committee, Executive Committee, and SELPA Superintendents' Council. The Program Specialist position was advertised, and the selection process was consistent with County Office hiring practices. The interview panel included representatives from local LEAs, as well as SELPA personnel.

Duties of program specialists are those specified in Education Code ' 56368 and the Local Plan:

- A. Assist Resource Specialists, Designated Instruction and Service instructors, and Special Class Teacher in the planning and implementation of individual education programs for children whose disability is in the area of expertise of the Program Specialist.
- B. Coordinate curricular resources in a manner to make them available and

- effective for personnel who are in need of the resources.
- C. In conjunction with the SELPA Director, assess program effectiveness to promote the program for individuals with exceptional needs.
- D. Participate in school staff development, research, program development, and innovation or special methods and approaches.
- E. Provide coordination, consultation, and program development in areas to which the program specialist is assigned.
- F. Under the direction of the SELPA Director, assure the pupils have full educational opportunity, regardless of the district of residence in the Special Education Local Plan Area.
- G. Participate in I.E.P.s at request of Local Education Agency or parent.
- H. Assist Local Education Agencies with non-public, non-sectarian and state school placements when requested.

Safeguards for the assurance of appropriate use of regionalized funds are the responsibility of the SELPA Director and as approved by the governance structure. Program Specialist(s) are employed by the RLA and supervised by the SELPA Director.

PROCEDURE FOR DETERMINING THE RESPONSIBLE ENTITY AND TOPIC FOR ANNUAL EVALUATION

The RLA has the responsibility for the conduct of the annual evaluation study in cooperation with the State Department of Education and as prescribed by Education Code Section 56601 and 56602. The SELPA Director with the support of the governance structure shall be responsible for collecting data, preparing reports and submitting the reports and documents to the State Department of Education as prescribed. In addition to the SELPA Director, the Program Specialist, MIS Clerical Staff (.50 FTE), and Program Assistant (1.0 FTE) shall assist as appropriate.

LISTING OF LOCAL INTERAGENCY AGREEMENTS AND EFFECTIVE DATES

ALTA CALIFORNIA REGIONAL CENTER	January 21, 1985 - Ongoing
CALIFORNIA CHILDREN'S SERVICES	November 3, 1987- Ongoing
EL DORADO COUNTY MENTAL HEALTH	November 3, 1987 - Ongoing
P.R.I.D.E. & Joy	September 1991 (Renewed annually)

OTHER ADMINISTRATIVE FUNCTIONS THE PLAN ASSIGNS TO THE ADMINISTRATIVE UNIT

The County Office of Education assumes all duties assigned to the RLA within the Agreement of Participation.

RELATIONSHIP OF THE COMMUNITY ADVISORY COMMITTEE TO THE POLICY-MAKING BODIES AND TO MANAGEMENT

The Special Education Advisory Committee (SEAC), El Dorado County's Community Advisory Committee, shall be established pursuant to Education Code 56190-94. The members of this Community Advisory Committee (Education Code Section 56191) shall be appointed by and be responsible to the Governing Board of each participating district.

The SEAC shall be an advisory entity to the RLA, Governance Structure and the SEAC.

**PROCEDURES FOR APPOINTMENT OF MEMBERS TO THE COMMUNITY
ADVISORY COMMITTEE**

The SELPA Superintendents' Council and Special Education Steering Committee members shall be responsible for identifying persons interested in serving on SEAC. Persons identified as candidates for participation on SEAC will be screened by appropriate district/county personnel, and their name(s) shall be submitted to the respective District Governing Board or County Board of Education for appointment. Following Governing Board approval, their names shall be submitted to the El Dorado County Office of Education for membership on the Special Education Advisory Committee. The following by-laws further describe the selection and appointment procedures. The Special Education Steering Committee will assure that the composition of the SEAC is in compliance with Education Code Section 56193.

RESPONSIBILITIES OF COMMUNITY ADVISORY COMMITTEE

The Special Education Advisory Committee shall perform the following duties in addition to advising the Governance Structure on the development and review of the Local Plan:

- A. Advise the policy and administrative entity(ies) of the region regarding the development and review of the local plan.
- B. Recommend priorities for the annual plan;
- C. Assist in the education and recruitment of parents and others regarding advisement of the plan;
- D. Encourage involvement in development and review of the plan;
- E. Support activities on behalf of individuals with exceptional needs;
- F. Assist in parent awareness of the importance of regular school attendance.

The SEAC by-laws further describe the role and responsibilities of the Committee and specific implementation strategies.

CHAPTER IV
POLICIES / PROCEDURES

EL DORADO COUNTY - LOCAL PLAN FOR LITERACY

A. RATIONALE

The California Reading Initiative is intended for all students. Reading proficiency is an important goal for virtually all students who receive special education services. It is basic to ongoing school success and essential for successful participation in society. Without reading proficiency, students are excluded from full participation and opportunity to achieve academic success in school.

B. POLICY STATEMENT

In order to improve the educational results for students with disabilities, the districts of the El Dorado County SELPA ensure that all students who require special education will participate in the California Reading Initiative, just as do all other students in our districts. In order to facilitate that effort, our districts assure that special education instructional personnel will participate in staff development inservice opportunities in the area of literacy, including:

information about current literacy and learning research;

state-adopted student content standards and frameworks; and

research-based instructional strategies for teaching reading to a wide range of diverse learners.

Each of the districts and the county office within the El Dorado County SELPA will include special education staff in their curriculum materials selection process, in order to support alignment with State standards. Each will also include all special education staff in all staff development on phonemics and phonics, as well as in any additional state or regional training based on new legislation, e.g., the California Reading and Literature Subject Matter Project, the rollouts on the frameworks, AB466 training.

Our goals are to increase the participation of students with disabilities in statewide student assessments, to increase the percentage of children with disabilities who are literate, and to assure that students with disabilities attain higher standards in reading.

In order to reach these goals, we assure that students with disabilities will have full access to:

all required core curriculum including state-adopted core curriculum textbooks and supplementary textbooks; and

instructional materials and support.

Policies and Procedures Relating to Charter Schools

This policy applies to all charter schools located within the El Dorado County Special Education Local Plan Area that are chartered by member districts or the El Dorado County Office of Education, or granted a charter by the State Board of Education in which oversight responsibilities have been assigned to a district within the SELPA. This policy was developed cooperatively with input from representatives of charter schools operated within the SELPA. This policy does not extend to a charter school that was chartered by, or was assigned to, an entity that is not a member of the SELPA.

The purpose of this policy is to clarify the relationship between charter schools, member school agencies and the SELPA. This policy has the further purpose of assisting applicable charter schools and chartering districts that are members of the El Dorado County SELPA with their individual and mutual responsibilities under the law. In addition, this policy has the purpose of assisting applicable charter schools and chartering agencies to meet the special education needs of all eligible students enrolled in applicable charter schools. It is understood that this policy does not apply to Juvenile Court Community School programs operated by the El Dorado County Office of Education. Policies applicable to Juvenile Court Community School programs that are also Charters are delineated in a separate document.

Students enrolled in charter schools are to be considered for special education services in a similar manner to students enrolled in other public schools in accordance with E.C.47646. Charter schools within the SELPA shall comply with all requirements of applicable state and federal law regarding the provision of special education services. A charter school may establish criteria specific to their program that applies to all applicants. However, the Charter School shall not discriminate against any pupil in its admission criteria on the basis of disability. The following factors should be considered in determining whether a Charter School is an appropriate placement for a student with a disability:

- The educational benefits available to the child, supplemented with appropriate aids and services, compared to the educational benefits of a special education program
- The non-academic benefits to the child of interaction with non-disabled peers
- The effect of the presence of the child with a disability on the teacher and other students in the regular program
- The costs of the supplementary aids and services necessary for the child with a disability to be mainstreamed in a regular classroom setting or program.

Funding for special education services, participation in the governance structure and responsibility for provision of services shall be based on the categorization of the individual charter school. A member district reviewing the petition for the establishment or renewal of a charter school may not refuse to grant the petition solely because the charter school might enroll students with disabilities who reside in a SELPA other than the one in which the district is a member (EC 47647).

Charter schools must delineate in writing the entity responsible for providing special education instruction and services. This document must reference any anticipated

transfer of special education funds between the granting entity and the charter school and any provisions for sharing deficits in funding. This document must affirm that the district where the student resides, if different than the chartering entity, is not responsible for providing special education services to students that are enrolled in the charter school. The sponsoring District is strongly advised to specify in the Memorandum of Understanding that the District will be indemnified for costs resulting from the provision of any services to students enrolled in the Charter School. The written agreement must also state that prior to final approval of a request to be deemed a local educational agency (LEA), the charter school will be deemed a public school within the chartering entity.

Prior to approval of a new charter school, or renewal of an existing charter school, the charter school petitioner(s) are required to consult with both the superintendent or designee of the chartering entity and the SELPA Director to ensure awareness of district and SELPA guidelines and timelines as they relate to special education. This provision shall also apply whenever material changes are made to a charter school.

DISPUTE RESOLUTION PROCESS POLICY

A. Rationale

In order to ensure the continual delivery of quality services to children with disabilities, a process for dispute resolution over the responsibility for service provision, governance activities, program transfer, or the distribution of funding must be in place.

B. Policy Statement

If a dispute arises over the responsibility for service provision, governance activities, program transfer, or the distribution of funding or if a school district, group of school districts, or the county office believes that an action taken by the SELPA Superintendents= Council will create an undue hardship on the district(s) or county office, or that the action taken exceeds the authority granted the SELPA Superintendents= Council within the Local Plan and/or state or federal statute, the aggrieved district(s) or county office may request a review of the action at each level of the committee structure.

C. Administrative Guidelines

The following committees may review and provide recommendations to the SELPA Superintendents= Council:

1. SELPA Steering Committee
2. SELPA Program/Business Committee
3. SELPA Executive Committee
4. SELPA Allocation Plan Superintendent Task Force

The Alternative Dispute Resolution process and techniques are available in the SELPA, and the Solutions Panel model could and would be applied upon request of any parties.

ALTERNATIVE DISPUTE RESOLUTION POLICY

Alternative Dispute Resolution (ADR) is an informal method of settling disagreements. It is a process that encourages all parties to problem solve and reach a mutually beneficial agreement.

The Solutions Panel is part of the El Dorado County SELPA ADR model. Each panel consists of two trained mediators (a parent and an educator) who assist parties to come to an agreement. All members are trained and certified by the SELPA.

Solution Panels provide:

- ! Mutually satisfying resolutions
- ! Are arranged quickly
- ! Confidentiality
- ! Legal Protections
- ! No Cost

During a Solutions Panel both parties have equal time to state their position, share concerns and listen to the other party=s position. Panel members assist the parties in reaching a mutually acceptable agreement. It is an informal, no-pressure environment which allows parents and schools to design their own resolution.

