

**Tahoe-Alpine SELPA**  
**Local Plan Narrative**  
**Governance and Administration**



**Tahoe/Alpine SELPA**

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## **TAHOE-ALPINE SELPA SPECIAL EDUCATION LOCAL PLAN NARRATIVE**

### **A. Tahoe-Alpine SELPA Participating Local Educational Agencies (LEA)**

The Special Education Local Plan Area (SELPA) includes Lake Tahoe Unified School District, Alpine County Unified School District, and Alpine County Office of Education. Tahoe-Alpine SELPA was formed under authority of Sections 56195-56208, 56240-56245 of the State of California Education Code and Title 5, Section 3000, and is the result of the Master Plan for Special Education. Lake Tahoe Unified School District, Alpine County Unified School District, and Alpine County Office of Education join together to adopt a plan to assure access to special education and services for all students with disabilities residing in the geographic area served by these Local Educational Agencies (LEAs), hereinafter known as the Tahoe-Alpine Special Education Local Plan Area (SELPA).

The districts, located in the rural areas of South Lake Tahoe, Markleeville, and Bear Valley along the western Nevada border, range in size from approximately 64 ADA to 3,604 ADA. The Tahoe-Alpine SELPA's member districts are located within Alpine and El Dorado Counties. There are approximately 581 students with disabilities, ages 0-22 served within the boundaries of the SELPA. Students with disabilities comprise approximately fifteen percent (15%) of the enrollment in the SELPA. In adopting the Local Plan, each participating agency agrees to carry out the duties and responsibilities assigned to it within the plan. Each agency shall provide special education and services to all eligible students within its boundaries. In addition, each LEA shall cooperate to the maximum extent possible with other agencies to serve individuals with disabilities who cannot be served in the LEA of residence programs. Participating LEAs may enter into additional contractual arrangements to meet the requirements of applicable federal and state law.

Lake Tahoe Unified School District (LTUSD) is designated as the Administrative Unit (AU) as referred to in Education Code 56205(a) (12) (D) (ii), also known as the Responsible Local Agency (RLA) for the SELPA as referred in Education Code 56030. The SELPA Director shall provide a coordinating function to each LEA when requested. This shall ensure smooth and efficient operation of the administrative structure and facilitation of successful implementation of the Local Plan in accordance with state and federal mandates.

### **B. Governance and Administrative Structure**

The Special Education Local Plan Area (SELPA) includes Lake Tahoe Unified School District, Alpine County Unified School District, and Alpine County Office of Education. Tahoe-Alpine SELPA was formed under authority of Sections 56195-56208, 56240-56245 of the State of California Education Code and Title 5, Section 3000, and is the result of the Master Plan for Special Education. Lake Tahoe Unified School District, Alpine County Unified School District, and Alpine County Office of Education join together to adopt a plan to assure access to special education and services for all students with disabilities residing in the geographic area served by these local educational agencies (LEAs), hereinafter known as the Tahoe-Alpine Special Education Local Plan Area (SELPA). The districts, located in the rural areas of South Lake Tahoe, Markleeville, and Bear Valley along the western Nevada border, range in size from approximately 64 ADA to 3,604 ADA. The Tahoe-Alpine SELPA's member districts are located within Alpine and El Dorado Counties.

Lake Tahoe Unified School District, Alpine County Unified School District, and Alpine County Office of

Education have joined in a cooperative effort to provide for the coordinated delivery of programs, services and assurances of equal access to such programs, and services to eligible persons with disabilities requiring special education in the service region. Each Local Education Agency (LEA) is responsible for adopting and implementing the Local Plan as outlined. The Tahoe-Alpine SELPA member LEAs, including the Alpine COE, have adopted standards that conform with special education law, policies, and regulations.

The governing body of the Tahoe-Alpine SELPA is the SELPA Governance Council (GC) which is composed of superintendents as the designated representatives of their respective LEAs. Policies and Procedures adopted by the Tahoe-Alpine SELPA Governance Council (GC) provide direction for all aspects of the SELPA, including uniform practices to be used by all LEAs in the provision of special education programs and services as outlined in the Local Plan.

Lake Tahoe Unified School District (LTUSD) shall serve as the Administrative Unit (AU) for the SELPA, and the LTUSD superintendent is the superintendent of the AU. The LTUSD superintendent is designated as the employer of the staff for the SELPA. The SELPA staff implement the policies and decisions that are enacted by the SELPA Governance Council. The SELPA's legal status is that of an unincorporated association.

The administrative organization of the Tahoe-Alpine SELPA Local Plan for Special Education, hereinafter referred to as the Local Plan, incorporates the management staff from all participating LEAs into a framework that provides direct supervision over all programs and the necessary coordination of special education services. The respective governing boards, superintendents, and administrators of special education all provide appropriate support to the implementation of the Local Plan within their LEA.

The governance of the Tahoe-Alpine Special Education Local Plan Area (SELPA) will be through the SELPA Governance Council, with ongoing input from the Executive Leadership Council, Community Advisory Committee (CAC) and the Boards of Education. The Governance Council (GC) is charged with coordinating special education programs and services. The Superintendents of each LEA, or GC, are charged with overseeing the operations of the Local Plan, recommending adoption of policy for implementation of the Local Plan, and transmitting those recommended policies to the Governing Boards of Education for adoption.

The LEA governing boards appoint their Superintendent as their designee for the approval and review of all policies, procedures, programs, and fiscal decisions in the implementation of the SELPA Local Plan. The Governance Council (GC) provides support to the SELPA Director and is the decision-making entity for the Local Plan. In adopting the completed plan, each participating LEA agrees to carry out the duties and responsibilities assigned to it within the plan. Participating agencies may enter into additional contractual arrangements to meet the requirements of applicable federal and state law.

The Governance Council (GC) shall be composed of the Superintendents from each participating LEA, and the SELPA Director and shall be responsible for the following:

- a) Determine general guidelines and procedures for the implementation of the Local Plan;
- b) Adopt policies for the SELPA in the implementation of the Local Plan;
- c) Establish and promote an Executive Leadership Committee (ELC);
- d) Establish and promote a Community Advisory Committee (CAC);

- e) Review and consider recommendations and comments from the ELC and CAC;
- f) Approval and monitoring of the discretionary fund budgets, special projects, etc.;
- g) Take action on the Annual Budget and Services Plans;
- h) Shall assume responsibility for communication and recommendation with his/her respective Board of Education regarding the recommended policies;
- i) Will direct the implementation of the plan in his/her individual district;
- j) Address specific needs in individual districts as the needs arise; and
- k) Establish procedures to supervise and evaluate the SELPA Director.

A designee may represent a member of the Governance Council (GC), provided that the name and title of the designee is given to the SELPA Director in writing prior to the meeting. The designee must have the authority to commit LEA resources. The GC Voting:

- a) A quorum shall consist of both superintendents or their designee representative;
- b) Each member or designee shall have one vote; and
- c) Every act or decision done or made by the members and/or designees present at a meeting will be based on the Governance Council consensus (if consensus cannot be reached, the Superintendent from the Administrative Unit (AU) will make the final decision).

The responsibilities of the Executive Leadership Council (ELC), consisting of the LEA Superintendents, LEA Special Education Administrators, and the SELPA Director (total of 5 people), will be to meet and provide recommendations to the Governance Council (GC) regarding the following:

- a) The determination of general guidelines and procedures for the implementation of the Local Plan;
- b) Adoption of policies for the SELPA in the implementation of the Local Plan;
- c) Establishment and promotion of a Community Advisory Committee (CAC);
- d) The review and consideration of the recommendations and comments from the CAC;
- e) Approval and monitoring of the discretionary fund budgets, special projects, etc.;
- f) Annual Budget and Services Plans;
- g) Supporting the implementation of the Local Plan in his/her individual district; and
- h) Meeting specific needs in individual districts as the needs arise

The responsibilities of the SELPA Director shall include, but not be limited to, the following:

- a) Assist the superintendents upon request;
- b) Prepare GC and ELC agendas and distribute them in advance of scheduled meetings;
- c) Designate and/or serve as an ad hoc member of the CAC;
- d) Advise the GC and ELC of any action related to policies and/or procedures, distribution of state

or federal funding, and/or program development;

- e) Compile data and submit reports as required and/or requested by the County Offices and California Department of Education;
- f) Submit any waivers necessary for the implementation of the Local Plan;
- g) Monitor the appropriate use of IDEA and state and federal grants for special education;
- h) Monitor and sign all purchase orders for low incidence materials and equipment;
- i) Oversee and monitor LEA data and review submission processes;
- j) May convene and dissolve working committees from the member LEAs in an advisory capacity to the SELPA Director in support of the local plan;
- k) Gather input from LEA program and business staff to formulate policy and procedure recommendations for GC and ELC action related to the distribution of state and federal funds among the LEAs;
- l) Provide LEA program staff with a venue for sharing ideas regarding issues such as IEP development and implementation, curriculum scope and sequence, student performance targets, assessments, instructional best practices, and day-to-day operations;
- m) Inform the GC and ELC of significant special education updates from the local, state and federal level; and
- n) Oversee the recruitment, supervision, and evaluation of SELPA staff.

The Community Advisory Committee (CAC) acts as an advisory body to the GC and ELC and are responsible for the following:

- a) Carry out a series of educational trainings for all parents based on the results of a needs assessment and/or requests from CAC membership;
- b) Encourage community involvement in the development and review of the Local Plan by inviting members to participate in CAC;
- c) Support other activities on behalf of students with disabilities through involvement of communitywide projects;
- d) Assist in parent awareness of the importance of regular school attendance through educational trainings;
- e) Advise the GC and ELC regarding policy making and the development, implementation and review of the local plan (The SELPA GC shall review and consider comments from the CAC).
- f) The CAC shall be composed of parents of individuals with exceptional needs enrolled in public or private schools, parents of general education pupils, individuals with exceptional needs enrolled in special education programs, adults with disabilities, general education teachers, special education teachers, other school personnel, representatives of public and private agencies, and persons concerned with the needs of individuals with exceptional needs.
- g) All board meetings of the CAC shall be held according to federal and state law, including the

Brown Act. Announcements of CAC meetings and activities will be posted by the member LEAs and at the SELPA Office.

Any changes in governance structure of Tahoe-Alpine SELPA under EC56195.1 may be made upon expressed and specific written request by a participating LEA to the GC. Approval and change would be implemented one year later subsequent to mutual consent by both Superintendents (EC 56195.3(b), 56195.1):

- a) Approval of any proposed alternative plan by the appropriate County Superintendents must be based on the capacity of the district to ensure that special education programs and services are provided to all children with disabilities (EC 56140(b)).
- b) If an alternative plan is disapproved by the County Superintendents the plan shall be returned with comments and recommendations to the LEA. The LEA participating in the alternative plan may appeal the decision to the Superintendent of Public Instruction.

The governance structure of the SELPA is established by agreement among the governing boards of the member LEAs and consists of the Governance Council and the Community Advisory Committee (CAC), which serves as an advisory body to the Governance Council. The SELPA Director may convene additional committees. The SELPA Director is responsible for the coordination of the SELPA and the implementation of the local plan. The Governance Council and CAC are public meetings providing a method by which members of the public may address questions or concerns to the governing body. The Governance Council meets and operates under the requirements of the Ralph M. Brown Act (Brown Act). The CAC operates under the Ralph M. Brown Act as modified by Education Code 35147. Additionally, a special education representative/designee from each district participates in each meeting of the CAC.

#### **B1. Governance Council (GC)**

The governing board of the Tahoe-Alpine Special Education Local Plan Area is the Governance Council (GC). The GC consists of three (3) LEAs made up of the LTUSD district superintendent, and the Alpine County/Alpine County Unified School District superintendent. In recognizing the importance of each superintendent's role in the GC, the designation of alternative representatives to the GC are permitted upon written request. The GC, with input from the CAC, provides leadership in the development of statements of policies and procedures, goals, priorities, and plans for the comprehensive and systematic provision of special education programs and services and recommending their adoption by participating boards.

The primary function of the GC is to promote cooperation and communication among the districts, and the Alpine County Office of Education, and to be responsive to any special education concerns, which require an executive decision by the superintendents. The GC also establishes policy and guidelines in compliance with procedures set forth in this local plan for special education. The regular meetings of the GC shall be open to the public and provide for community input. Questions or concerns may also be addressed to the SELPA Director.

The Lake Tahoe Unified School District is the Administrative Unit (AU) to the Tahoe-Alpine SELPA.

The member GC Superintendents will take turns facilitating GC meetings, and each term will last one year (alternating annually).

Agendas for GC meetings are developed in collaboration between the SELPA Director; the GC Superintendents.



Specific functions of the GC include:

- a) Directing the allocation and utilization of special education management and support services, and other resources within the local plan area, in accordance with the provisions of the local plan;
- b) Reviewing special education issues and recommending effective solutions to agencies;
- c) Adopting executive rules, administrative regulations, and procedures for the management of special education programs and services in the local plan area and the implementation of agreements;
- d) Monitoring special education programs and services with respect to both planned and actual efforts, progress, and results;
- e) Adopting guidelines and procedures for conducting special education programs and services available through the local plan;
- f) Providing executive direction to the SELPA Director for regionalized services and to the superintendent of the AU, when appropriate, regarding the implementation, administration, and operation of special education programs and services in accordance with the local plan;
- g) Shall assume responsibility for communication and recommendation with his/her respective Board of Education regarding the recommended policies;
- h) Determine general guidelines and procedures for the implementation of the Local Plan;
- i) Adopt policies for the SELPA in the implementation of the Local Plan;
- j) Reviewing data about the current status and accomplishment of special education programs in the respective LEAs/districts;
- k) Providing assistance to the Local Education Agency/District, as necessary;
- l) Providing leadership for inter-district actions pertaining to the implementation, administration, and operation of the local plan;
- m) Coordinating each local education agency's portion of the special education programs and services, in accordance with the provisions of the local plan;
- n) Establish and promote a Community Advisory Committee (CAC);
- o) Review and consider comments from the CAC;
- p) Support the participation of district special education personnel and utilizing other available district resources for special education, in accordance with the provisions of the local plan and decisions made by the Governance Council;
- q) Receiving regular notification of all requests for due process hearings and compliance complaints filed throughout the Special Education Local Plan Area;
- r) Approval and monitoring of the discretionary fund budgets, special projects, etc.;
- s) Take action on the Annual Budget and Services Plans;
- t) Will direct the implementation of the plan in his/her individual district;
- u) Reviews the agenda, conducts meetings, and schedules special meetings;

- v) Address specific needs in individual districts as the needs arise;
- w) Functions as a mediator in areas of dispute; and
- x) Establish procedures to supervise and evaluate the SELPA Director,

## **B2. Community Advisory Committee**

The Lake Tahoe Unified School District (LTUSD) Superintendent and the Alpine County Unified School District/Alpine County Office of Education Superintendent authorize the SELPA to establish a Special Education Community Advisory Committee.

Annually, the chair of the CAC prepares a report to be shared with the Governance Council (GC) detailing the activities of the year and identifying goals for the next year. The SELPA Director provides ongoing information to the CAC. A Special Education Administrator from a member LEA serves as a liaison to the CAC.

CAC activities are designed to inform the community, and thereby, obtain support and involvement to the benefit of students with disabilities.

The Special Education Administrators of the member LEAs of the SELPA shall solicit a volunteer member to be present at each meeting.

District boards appoint members to the CAC of the Tahoe-Alpine SELPA from a list of selected candidates compiled by each district administrator. Compilation of district candidates is the responsibility of each district's special education administrator or designee, with assistance from the school site advisory council, where they exist.

The committee may include parents and/or legal guardians of students with disabilities enrolled in public school, students and adults with disabilities, regular education teachers, special education teachers, other school personnel, representatives of other public and private agencies, and persons concerned with the needs of individuals with exceptional needs. A majority of the committee is composed of parents of students enrolled in schools participating in the local plan. A majority of these parents are parents of individuals with exceptional needs.

Participating district board-appointed CAC members and GC appointed agency representatives are the voting members of the CAC and participate in all voting activities.

Each appointed member serves a two-year term, with half of the membership appointed on alternating years.

The CAC:

- a) Advises the SELPA Director and Governance Council regarding the development, amendment, and review of the local plan;
  - To facilitate this process:
    - i) A draft of the Plan is submitted to the CAC, and
    - ii) The Chairperson signs the plan on behalf of the committee.
- b) Recommends annual priorities to be addressed by the Plan to the SELPA Director;
- c) Assists in parent education and in recruiting parents and other volunteers, who may contribute

- to the implementation of the Plan;
- d) Encourages community involvement in development and review of the local plan;
- e) Supports activities on behalf of individuals with exceptional needs;
- f) Assists in parent awareness of the importance of regular school attendance; and
- g) Supports community involvement in the Parent Advisory Committee established pursuant to Education Code 52063 and encourage the inclusion of parents of individuals with exceptional needs to the extent these pupils also fall within one or more of the definitions in Education code 42238.01.

At regular meetings of the CAC, input on the local plan is gathered from CAC members and the community.

### **B3. Special Focus Committees**

The SELPA Director may convene ad hoc or informal special focus advisory committees in areas such as program development, development and revision of policies and procedures, and interagency agreements. Each committee will meet only as long as necessary to complete a specific purpose.

### **B4. Changes in the Governance Structure or Membership**

A member of the Tahoe-Alpine Special Education Local Plan Area may request a change in the governance structure of the local plan at any time. Such a request must be in the form of an agency board resolution. The resolution must specify the change or changes requested and the reasons for the change(s). The superintendent of the LTUSD or Alpine COE requesting the change(s) forwards the board resolution to:

- a) the El Dorado County Superintendent of Schools,
- b) the Governance Council Superintendents, and
- c) the SELPA Director.

Upon completion of the plan, the established procedures for local plan approval are followed. To maintain the integrity of programs and services and to plan changes in the governance structure, the new local plan or plans will become effective one fiscal year from June 30 of the fiscal year in which the board resolution requesting a change was approved.

## **C. Regionalized Services and Program Specialists**

### **C1. Local Assurances**

As a condition of receiving funds for regionalized services and the direct instructional support of program specialists, the SELPA assures that all regionalized operations and services listed below are provided in accordance with the Local Plan:

- a) coordination of the special education local plan and the implementation of the local plan,
- b) a coordinated system of identification and assessment,
- c) a coordinated system of procedural safeguards,
- d) a coordinated system of staff development and guardian education,
- e) a coordinated system of curriculum development and alignment with the core curriculum,
- f) a coordinated system of internal program review, evaluation and effectiveness of the local plan, and implementation of a local plan accountability mechanism,
- g) a coordinated system of data collection and management,
- h) coordination of interagency agreements,

- i) coordination of services to medical facilities,
- j) coordination of services to licensed children's institutions and foster homes,
- k) preparation and transmission of required SELPA reports,
- l) fiscal and logistical support of the CAC,
- m) coordination of transportation services for individuals with exceptional needs,
- n) coordination of career, vocational and transition services,
- o) means by which full educational opportunity is ensured,
- p) fiscal administration and the allocation of state and federal funds, and
- q) direct instructional support that may be provided by program specialists.

## **C2. Program Specialists**

Program Specialist duties:

Program Specialist personnel requirements:

- a) holds a valid special education credential, clinical services credential, health services credential, or a school psychologist authorization, and
- b) has advanced training and related experience in the education of individuals with exceptional needs and has a specialized in-depth knowledge in one or more areas of major disabilities, preschool disabilities, or career vocational development.

Allocation, Selection, and Supervision

For purposes of reporting under Education Code 41400 et seq., a SELPA Program Specialist is considered to be an Administrative Unit (AU) employee. A SELPA Program Specialist is selected with input from district special education administrators, are employed by the AU, and are supervised by SELPA Director.

Role and Function of a SELPA Program Specialist

A Program Specialist may, as directed, perform the following tasks upon direction of supervisors or as requested by district administration:

- a) Observe, consult with, and assist resource specialists, designated instruction and services instructors, and special class teachers;
- b) Provide compliance support for the CDE CIM and Small LEAs monitoring requirements;
- c) Plan programs, coordinate curricular resources, monitor, and evaluate the effectiveness of programs for individuals with exceptional needs;
- d) Provide coordination and consultation for low incidence, AAC and assistive technology;
- e) Provide coordination and consultation for WorkAbility I programming;
- f) Assist with staff development, program development and innovation of special methods and approaches;
- g) Provide coordination, consultation, and program development in his/her areas(s) of expertise;
- h) Assure that students, regardless of district, have full educational opportunity;
- i) Coordinate inter- and intra-SELPA placements and transportation of students;
- j) Serve as liaison and consultant to other professionals, agencies, and the community;
- k) Provide consultation to principals and administrators who operate special education programs at their school sites, under the direction of the SELPA Director;
- l) Provide consultative services as a member of the Individualized Education Program team as appropriate;
- m) Provide consultation and assistance with Special Education Student Information Systems

- (such as SEIS and CALPADS) as it pertains to affirming IEPs and the Desired Results Developmental Project (DRDP); and
- n) LEA staffing and directory supports.

**C3. Administration of Regional Operations and Services**

- a) Coordination of the SELPA and the implementation of the local plan:

**(1) Role of the Responsible Local Agency (RLA)/Administrative Unit (AU):**

The Administrative Unit (AU) for the Tahoe-Alpine SELPA shall be responsible for functions such as, but not limited to:

- (a) Receipt and distribution of special education funds to district accounts for the special education programs and services, pursuant to state and federal law, and
- (b) Receipt and distribution of special education funds to accounts exclusively designated for SELPA use.
- (c) The employment of staff to support SELPA functions:
  - (i) Receiving, transferring, and expending funds, based upon the budget as approved by GC;
  - (ii) Establishing and maintaining an office of the Tahoe-Alpine SELPA;
  - (iii) Employment of the SELPA Director to coordinate implementation of the local plan throughout the Tahoe-Alpine SELPA and with other SELPAs, as appropriate, and
  - (iv) Participating in funding the administrative cost of SELPA office.

**(2) Role of the SELPA Director:**

The SELPA Director is a non-voting member of the Governance Council and is under the direction of the GC. The SELPA Director's responsibilities include:

- (a) Implementing regionalized services based upon annual priorities that include: administering professional development programs; coordinating program evaluation; supervising data collection, information management, and reporting; supporting curriculum development and proficiency standards; coordinating ongoing monitoring of local plan implementation through program review; supervising and evaluating the program specialist work; recruiting county and district personnel; and conducting child-find and public awareness procedures;
- (b) Providing overall coordination of the local plan implementation through program review;
- (c) Assisting in the coordination of master contracts with nonpublic schools and agencies providing services to students with disabilities as requested by SELPA LEAs;
- (d) Participating in or designating appropriate personnel to participate in IEP team meetings for students considered for placement in other local plan areas and/or nonpublic school placements, as requested by member districts;
- (e) Providing technical assistance to local education agencies in due process and

- complaint procedures;
- (f) Coordinating and facilitating establishment of local plan area standards, procedures, processes, and regulations for the implementation of the local plan;
- (g) Acting as liaison between the local plan area and the California Department of Education (CDE);
- (h) Applying with the Administrative Unit (AU) for discretionary funds and other grants that become available to the SELPA;
- (i) Assisting in identification of special education program and service needs for the SELPA;
- (j) Collaborate with the SELPA LEAs in the preparation of the annual budget for the various special education resources to be submitted to the SELPA for review and input, to the GC for adoption;
- (k) Recommend employment of, supervise, and evaluate SELPA personnel;
- (l) Coordinating with the LEAs and AU the preparation and submission of all state mandated reports required for the SELPA;
- (m) Resolving differences and acting as a mediator to reach consensus when differences of opinion occur between LEA administrators or superintendents;
- (n) Acting as an ex-officio member of all SELPA standing committees and appointed task forces;
- (o) Meet and consult regularly with the special education administrators of member LEAs; and
- (p) Submitting the local plan to the CAC, participating LEAs, and the El Dorado County Superintendent of Schools for signature, assuring coordination of the Local Plans within the county, in compliance with requirements of Education Code section 56140.

(3) Role of the individual LEAs:

Each local education agency governing board is responsible for approving the participation of its LEA in this local plan for special education. Its support and recommendations are essential to effective implementation and operation of the local plan.

Each member LEA is responsible to ensure a full continuum of services are available in order to provide a free and appropriate public education to all students with disabilities for whom they are responsible. The individual LEAs shall approve any policies and procedures needed to implement the local plan.

b) Coordinated system of identification and assessment:

(1) Role of the Responsible Local Agency (RLA)/Administrative Unit (AU):

The role of the RLA/AU related to the coordinated system of identification and

assessment is the same as the role of each LEA.

(2) Role of the SELPA Director:

- (a) The SELPA Director assists the conduct of child find activities through:
  - (i) Annual distribution of child find materials to local child care facilities, private schools, medical offices, nonprofit organizations focused on serving children and interested parties;
  - (ii) staffing community events and distributing child find activities;
  - (iii) maintaining child find information on the Tahoe-Alpine SELPA website;
  - and
  - (iv) providing workshops on child find.
- (b) The SELPA provides technical support to LEAs and guidance to parents, as needed.

(3) Role of the individual LEAs:

Each LEA is responsible for identifying and assessing all students for whom they are responsible including developing a system of support and referral for assessment.

c) Coordinated system of procedural safeguards:

(1) Role of the RLA/AU:

The role of the RLA/AU related to the coordinated system of procedural safeguards is the same as the role of each LEA.

(2) Role of the SELPA Director:

The provides alternate dispute resolution services for districts and parents. The SELPA assists parents with filing complaints with the Office of Administrative Hearings when requested. The SELPA also assures procedural safeguards by providing technical assistance and guidance on forms and procedures to LEAs in the areas of assessment, identification, and placement. The SELPA will also provide parents with a copy of their procedural safeguards upon request and maintain a copy on the Tahoe-Alpine SELPA website.

(3) Role of the individual LEAs:

The LEAs provide procedural safeguards to parents consistent with the education code, assist parents with understanding them, and ensure that they are implemented. The LEAs assist parents with filing complaints with the Office of Administrative Hearings when requested.

d) Coordinated system of staff development and parent and guardian education:

(1) Role of the RLA/AU:

The role of the RLA/AU related to the coordinated system of staff development and parent and guardian education is the same as the role of each LEA.

(2) Role of the SELPA Director:

The SELPA works cooperatively with non-profit agencies to provide parent and guardian education. The SELPA Director will provide needed training and supports as requested, or determined appropriate, for each LEA.

(3) Role of the individual LEAs:

LEAs will determine their staff development and parent and guardian education programs, based on their local needs. They may seek technical assistance or input from the SELPA at any time.

e) Coordinated system of curriculum development and alignment with the core curriculum:

(1) Role of the RLA/AU:

The role of the RLA/AU related to the coordinated system of curriculum development and alignment with the core curriculum is the same as the role of each LEA.

(2) Role of the SELPA Director:

The SELPA Director will provide technical assistance and staff development, as requested or determined appropriate.

(3) Role of the individual LEAs:

LEAs will determine their needs for curriculum development and alignment with the core curriculum, based on their local needs.

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

(1) Role of the RLA/AU:

The role of the RLA/AU related to the coordinated system of internal program review, evaluation of the effectiveness of the local plan, and implementation of the local plan accountability system is the same as the role of each LEA.

(2) Role of the SELPA Director:

The SELPA Director:

- (a) ensures the GC receives annual input on the local plan from required educational partners, including parents of the CAC, general and special education staff and administrators,
- (b) reports to GC in regular scheduled public meetings, a summary of the SELPA's activities on behalf of its members,
- (c) participates in monitoring activities and development and implementation of LEA improvement plans.

(3) Role of the individual LEAs:

Individual LEAs review and monitor Annual Performance Reports, the



California School Dashboard, and other data sources to ensure students with disabilities receive a free and appropriate public education. Individual LEAs also engage in monitoring activities as required by the CDE.

g) Coordinated system of data collection and management:

(1) Role of the RLA/AU:

The role of the RLA/AU related to the coordinated system of data collection and management is the same as the role of each LEA.

(2) Role of the SELPA Director:

The SELPA Director:

- (a) certifies the California Longitudinal Assessment and Pupil Data System (CALPADS) submission of each member LEA as required by the CDE,
- (b) provides support and training to LEAs, and
- (c) ensures timely collection of data for state reporting.

(3) Role of the individual LEAs:

The LEAs are responsible for data entry, quality and integrity. The LEAs approve the CALPADS submission as required by the CDE for the SELPA Director to certify.

h) Coordination of interagency agreements:

(1) Role of the RLA/AU:

The role of the RLA/AU related to the coordination of interagency agreements is the same as the role of each LEA.

(2) Role of the SELPA Director:

The SELPA administrator annually reviews interagency agreements.

(3) Role of the individual LEAs:

Through their representative to the GC, LEAs implement interagency agreements as appropriate.

i) Coordination of services to medical facilities:

(1) Role of the RLA/AU:

The role of the RLA/AU related to the coordination of services to medical facilities is the same as the role of each LEA.

(2) Role of the SELPA Director:

The SELPA Director will facilitate the coordination of these services by the designated LEAs as requested by the LEAs.

(3) Role of the individual LEAs:

Each LEA shall be responsible for the provision of special education and related services to students with disabilities residing in hospitals and other residential facilities located within the geographical area of the LEA. Each LEA shall first consider services operated by the LEA and then by the SELPA centralized and/or regionalized program providers. If the special education services available within these entities are not appropriate, then the district shall contract with an appropriate service provider for implementation of the student's IEP. These may include employees of other LEAs within the SELPA, those of a neighboring SELPA, or a Nonpublic Agency (NPA).

j) Coordination of services to licensed children's institutions (LCIs) and foster family homes:

(1) Role of the RLA/AU:

The role of the RLA/AU related to the coordination of services to LCIs and foster family homes is the same as the role of each LEA.

(2) Role of the SELPA Director:

The SELPA Director facilitates the coordination of these services by the designated LEAs when requested by the LEA.

(3) Role of the individual LEAs:

Each LEA shall be responsible for the provision of special education and related services to students with disabilities residing in LCIs and foster homes located within the geographical area of the LEA. Each LEA shall first consider services operated by the LEA and then by the regionalized providers within the SELPA. If the special education services available within the entities are not appropriate, then the district shall contract with an appropriate NPA service provider for implementation of the pupil's IEP.

k) Preparation and transmission of required special education local plan area reports:

(1) Role of the RLA/AU:

The role of the RLA/AU related to the preparation and transmission of required special education local plan area reports is the same as the role of each LEA.

(2) Role of the SELPA Director:

The SELPA Director will ensure transmission of required reports and provide support to LEAs in completing those reports.

(3) Role of the individual LEAs:

Individual LEAs will maintain accurate records and submit required data for the SELPA to submit reports.

l) Fiscal and logistical support of the CAC:

(1) Role of the RLA/AU:

The role of the RLA/AU related to the fiscal and logistical support of the CAC is the

same as the role of each LEA.

(2) Role of the SELPA Director:

The SELPA Director:

- (a) provides logistical support to the CAC, and
- (b) ensures the local plan is reviewed by the CAC.

(3) Role of the individual LEAs:

Voting members are appointed by local governing boards to the CAC.

m) Coordination of transportation services for individuals with exceptional needs:

(1) Role of the RLA/AU:

The responsibility for coordination of transportation is not the responsibility of the RLA/AU. If the RLA/AU provides transportation, it is unrelated to the role of that LEA as the RLA/AU.

(2) Role of the SELPA Director:

The SELPA will provide support as requested.

(3) Role of the individual LEAs:

Individual LEAs ensure that appropriate transportation services are provided for students with disabilities as specified in their individualized education program. Transportation is the responsibility of the District of Special Education Accountability (DSEA).

n) Coordination of career and vocational education and transition services:

(1) Role of the RLA/AU:

The role of the RLA/AU related to the coordination of career and vocational education and transition services is the same as the role of each LEA.

(2) Role of the SELPA Director:

The SELPA Director will provide support and staff development as needed.

(3) Role of the individual LEAs:

Each LEA will provide appropriate career and vocational education and transition services as required under state and federal law.

o) Assurance of full educational opportunity:

(1) Role of the RLA/AU:

The role of the RLA/AU related to the assurance of full educational opportunity is the same as the role of each LEA.

(2) Role of the SELPA Director

Through approval of the Annual Services Plan, the SELPA will ensure that the full continuum of services is available. The SELPA monitors compliance reviews and assists, as requested, in the development of corrective action plans. Additionally, professional development and support is provided to LEAs and nonpublic schools as requested.

(3) Role of the individual LEAs:

The individual LEAs:

- (a) monitor student's IEP to ensure that all services documented are provided, without delay, and at no cost to the parent;
- (b) regularly review and monitor special education data to ensure services and plan review and reevaluation IEPs are implemented and reviewed per mandated timeframes, and
- (c) through the IEP process, review the special education services provided to students to ensure adequate yearly progress is occurring.

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

(1) Role of the RLA/AU:

The role of the RLA/AU, in coordination with the SELPA, is responsible for receiving and distributing state and federal funds to individual LEAs in accordance with the adopted budget and support the SELPA with the fiscal administration of the annual budget plan; the allocation of state and federal funds; and the reporting and accounting of special education funding.

(2) Role of the SELPA Director:

The SELPA Director will facilitate the distribution of funds in accordance to the funding allocation plan approved by the Governance Council (GC). The SELPA Director also ensures the development of the Annual Budget Plan.

(3) Role of the individual LEAs:

Individual LEAs determine and approve the allocation of state and federal funds. Each LEA timely submits required fiscal reports to the SELPA for state and federal reporting.

- q) Direct instructional program support that maybe provided by program specialist(s) in accordance with EC Section 56368:

(1) Role of the RLA/AU:

The role of the RLA/AU related to direct instructional program support that may be provided by program specialists is the same as the role of each LEA.

(2) Role of the SELPA Director: The

SELPA Director:

- (a) coordinates and provides staff development and training for general and special education administrators and staff;
- (b) develops and makes available forms, policies, and procedures throughout the SELPA; and
- (c) assists in preparation, implementation, and follow-up of state reviews, including those that are part of the Compliance and Improvement Monitoring (CIM) process and Smalls Process.

(3) Role of the individual LEAs:

Individual LEAs are responsible for:

- (a) planning, directing, coordinating, and evaluating instructional programs;
- (b) identifying needs and developing short and long-range plans for staff development, curriculum development, and program effectiveness;
- (c) providing staff development and training for general and special education administrators and staff;
- (d) developing and disseminating forms, policies, and procedures consistent with LEA policies;
- (e) representing the LEA on committees as directed;
- (f) assuring appropriate coordination of general and special education instructional resources for students;
- (g) providing support to the LEA in the area of positive behavior intervention; and
- (h) assisting in the preparation, implementation, and follow-up of reviews by the state including those that are part of the Compliance and Improvement Monitoring (CIM) process.

## **D. Roles and Responsibilities of Participating Entities**

### **D1. Administrative Unit**

Participating districts, through the Governance Council (GC), designates the AU for the SELPA. The Lake Tahoe Unified School District is the AU, as designated by the participating districts in the Local Plan. LTUSD functions as a Local Education Agency and has status equal to other Local Education Agency district program operations.

### **D2. Local Educational Agency**

The local boards are responsible for the approval of district budgets, hiring of personnel for their districts, and setting policy. Each unit-district prepares its own budget and is responsible for the hiring of district personnel. Each district board approves programs to be operated within its jurisdiction. The LEAs establish and maintain special education programs and services and may contract with each other to have students participate in programs in another LEA within the SELPA.

Each district board appoints members to the CAC.

Board policy of each LEA shall indicate that the LEA is responsible for educating students with disabilities in the least restrictive environment. Students with disabilities are served in their home districts whenever the needs identified in the individualized education program can be met in the home district.

However, it is recognized that some students with disabilities have unique educational needs that cannot be met in their home districts. Because of such identified unique needs, some students receive services from other LEAs. The local plan serves as the contractual agreement for students with disabilities placed in regional programs. LEA responsibilities include:

- a) Coordinating and conducting child find activities;
- b) Developing and providing programs and services for all eligible students residing in the district and for students at private schools located in the district;
- c) Identifying and serving students in medical, foster or LCI facilities;
- d) Participating in state/district-wide assessments;
- e) Operating all special education programs and services in accordance with state and federal laws and regulations;
- f) Responding to compliance and due process complaints and implementing the decisions of compliance investigations or due process hearings;
- g) Utilizing the same management information system, forms, procedures and guidelines as all other districts within the SELPA; and
- h) Collecting and completing state and federal report requirements; including California Longitudinal Pupil Achievement Data System (CALPADS) reports and compliance reviews.

#### **D3. LEA Governing Boards**

The local governing boards of member LEAs responsibilities include:

- a) Adoption of policies and procedures for special education programs and services within their districts;
- b) LEA compliance with all elements of the local plan;
- c) Input on SELPA policies and procedures through the superintendent of the LEA; and
- d) Appointment of individuals to the CAC.

#### **D4. LEA Superintendents**

The LEA superintendents are responsible to their respective Boards of Education. The district superintendents participate on the Governance Council (GC) and assist in the development and approval of policies for the operation of the Special Education Local Plan Area.

Local superintendents are responsible for preparing their district's special education budgets and for the operation of programs and services within their districts, as well as maintenance and operation of the facilities housing special education programs and services.

Responsibilities of the LEA Superintendent in the implementation of the plan include the following:

- a) represent the LEA and serve on the SELPA Governance Council (GC) and Executive Leadership Council (ELC);
- b) advising their respective agencies on policy development;
- c) collecting information on program operations and reporting that information to the SELPA Director;
- d) participate or assign a designee in the recruiting, screening, and interviewing process for SELPA staff who have a local plan area function;
- e) managing and operating LEA programs and services;
- f) providing mutual technical assistance in due process and complaint procedures;
- g) participating in establishing local plan area standards, procedures, and processes for implementation of the local plan; and

- h) assisting in the identification of special education program and service needs for the SELPA.

Each LEA shares in a cooperative effort to provide for the special education needs of all students with disabilities within this SELPA.

#### **D5. LEA Special Education Administrators**

The LEA administrators are responsible for the primary operation of programs and services associated with special education within their respective districts. They provide for assessment, instructional planning, placement, and review of students through IEP teams. They ensure that all eligible students have entry into special education programs as well as exit from programs within their geographic or program responsibility areas.

The LEA administrators assess the need for professional learning, special education program development, and regional programs. The administrators facilitate the collection and aggregation of data by providing accurate and timely information to the local plan area regarding student assessment, placement, identifying data, student movement, and progress. In addition, the administrators participate in internal local plan area.

The LEA's, Alpine County Office of Education, Alpine County Unified School District, and Lake Tahoe Unified School District, as participants in the Local Plan, shall perform the following for their own pupils through their respective programs:

- a) Provide annual notification of parent rights to parents of the individuals with disabilities and ensure that public notice for services offered in the LEA are publicly available
- b) Select, compensate, and determine the duties of the special education teachers, instructional aides, and other personnel required to conduct the program specified in the Local Plan, and in compliance with state and federal mandates.
- c) Conduct those programs operated by the LEA in conformance with the Local Plan and the state and federal mandates.
- d) Organize and administer the activities of the IEP Teams, including the selection of the LEA staff and who will serve as team members in conformance with E.C. Section 56341, and in compliance with the Local Plan
- e) Organize and maintain the activities of the Resource Specialist Program in conformance with EC 56362 and in compliance with the Local Plan
- f) Provide facilities as required to house the programs conducted by the LEA.
- g) Provide for the acquisition and distribution of the supplies and equipment for the programs conducted by the LEA
- h) Provide and/or arrange for transportation services as may be required to provide the special education programs specified by the LEA.
- i) Cooperate with the RLA 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.
- 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 ensure their effectiveness and

applicability and insure the continued implementation and compliance and eligibility criteria.

- k) Provide for the integration of individuals educated under this agreement into the least restrictive environment 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) Develop interagency referral, coordination and/or placement procedures in accordance with the Local Plan to include services to individuals with disabilities in public or proprietary hospitals or other residential medical facilities, in licensed children's institutions, or foster family homes and other local public agencies. Coordinate community resources with those provided by LEA including providing such contractual agreements as may be required.
- n) Prepare and submit all required reports, including reports on student enrollment program expenditures, and program evaluation.
- o) Designate a person to represent the LEA on the Executive Leadership Council to monitor the implementation of the Plan and make necessary recommendations for changes and/or modifications.
- p) Designate a representative for the LEA to serve on the Community Advisory Committee, in accordance with EC Sections 56192-56193 and pursuant to the procedures established in the Local Plan.
- q) Designate the LEA Superintendent, or his/her designee, to represent the LEA in supervising and directing the implementation of the Plan.
- r) The District programs maintained by the LEA receive special education funding. This includes instructional units, support services, special education, transportation, and non-public school placements in accordance with the Allocation and Budget Plan and in accordance with the funding generated by the specific LEA computations.
- s) Each LEA shall schedule a public hearing at the district School board meeting for the purposes of adopting the Special Education Budget.

## **E. Federal Assurances**

### **E1. Free Appropriate Public Education 20 United States Code (USC) Section (§) 1412 (a)(1)**

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

### **E2. Full Educational Opportunity 20 USC § 1412 (a)(2)**

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

### **E3. Child Find 20 USC § 1412 (a)(3)**

It shall be the policy of each LEA in the SELPA that all children with disabilities residing in the State, including children with disabilities who are homeless or are wards of the State and children attending private schools, regardless of the severity of their disabilities, and who are in need of special education



and related services are identified, located and evaluated. A practical method is developed and implemented to determine which students with disabilities are currently receiving needed special education and related services.

**E4. Individualized Education Program and Individualized Family Service Plan 20 USC § 1412 (a)(4)**

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

**E5. Least Restrictive Environment 20 USC § 1412 (a)(5)**

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

**E6. Procedural Safeguards 20 USC § 1412 (a)(6)**

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

**E7. Evaluation 20 USC § 1412 (a)(7)**

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

**E8. Confidentiality 20 USC § 1412 (a)(8)**

It shall be the policy of each LEA in the SELPA that the confidentiality of personally identifiable data information and records maintained by the LEA relating to children with disabilities and their parents and families shall be protected pursuant to the Family Educational Rights and Privacy Act (FERPA).

**E9. Part C, Transition 20 USC § 1412 (a)(9)**

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

**E10. Private Schools 20 USC § 1412 (a)(10)**

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

**E11. Local Compliance Assurances 20 USC § 1412 (a)(11)**

It shall be the policy of each LEA in the SELPA 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 (IDEA), the Federal Rehabilitation Act of 1973, Section 504 of Public Law and the provisions of the California Education Code, Part 30.

**E12. Interagency 20 USC § 1412 (a)(12)**

It shall be the policy of each LEA in the SELPA that interagency agreements or other mechanisms for interagency coordination are in effect to ensure services required for FAPE are provided, including the continuation of services during an interagency dispute resolution process.

**E13. Governance 20 USC § 1412 (a)(13)**

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

**E14. Personnel Qualifications 20 USC § 1412 (a)(14)**

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

**E15. Performance Goals and Indicators 20 USC § 1412 (a)(15)**

It shall be the policy of each LEA in the SELPA to comply with the requirements of the performance goals and indicators developed by the CDE and provide data as required by the CDE.

**E16. Participation in Assessments 20 USC § 1412 (a)(16)**

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

**E17. Supplementation of State/Federal Funds 20 USC § 1412 (a)(17)**

It shall be the policy of each LEA in the SELPA to provide assurances that funds received from Part B of the IDEA will be expended in accordance with the applicable provisions of the IDEA; will be used to supplement and not to supplant state, local and other Federal funds.

**E18. Maintenance of Effort 20 USC § 1412 (a)(18)**

It shall be the policy of each LEA in the SELPA that federal funds will not be used to reduce the level of local funds and/or combined level of local and state funds expended for the education of children with disabilities except as provided in Federal law and regulations.

**E19. Public Participation 20 USC § 1412 (a)(19)**

It shall be the policy of each LEA in the SELPA that public hearings, adequate notice of the hearings, and an opportunity for comment available to the general public, including individuals with disabilities and parents of children with disabilities are held prior to the adoption of any policies and/or regulations needed to comply with Part B of the IDEA.

**E20. Rule of Construction 20 USC § 1412 (a)(20)**

(Federal requirement for State Education Agency only.)

**E21. State Advisory Panel 20 USC § 1412 (a)(21)**

(Federal requirement for State Education Agency only.)

**E22. Suspension/Expulsion 20 USC § 1412 (a)(22)**

The LEAs assure that data on suspension and expulsion rates will be provided in a manner prescribed by the CDE. When indicated by data analysis, the LEA further assures that policies, procedures and practices related to the development and implementation of the IEPs will be revised.

**E23. Access to Instructional Materials 20 USC § 1412 (a)(23)**

It shall be the policy of each LEA in the SELPA to provide instructional materials to blind students or other students with print disabilities in a timely manner according to the state adopted National Instructional Materials Accessibility Standard.

**E24. Overidentification and Disproportionality 20 USC § 1412 (a)(24)**

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

**E25. Prohibition on Mandatory Medicine 20 USC § 1412 (a)(25)**

It shall be the policy of each LEA in the SELPA to prohibit school personnel from requiring a student to obtain a prescription for a substance covered by the Controlled Substances Act as a condition of attending school or receiving a special education assessment and/or service.

**E26. Distribution of Funds 20 USC § 1411(e),(f)(1-3)**

(Federal requirement for State Education Agency only.)

**E27. Data 20 USC § 1418 (a-d)**

It shall be the policy of each LEA in the SELPA to provide data or information to the CDE that may be required by regulations.

**E28. Reading Literacy (State Board Requirement, 2/99)**

It shall be the policy of each LEA in the SELPA that in order to improve the educational results for students with disabilities, Special Education Local Plan Areas (SELPA) local plans shall include specific information to ensure that all students who require special education will participate in the California Reading Initiative.

**E29. Charter Schools (EC 56207.5 (a-c))**

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

**F. Additional Elements of the Local Plan**

**F1. Allocation Plan and Maintenance of Effort**

Participating SELPA LEAs acknowledge the obligation to maintain the level of general fund contribution towards the provision of special education services at a level equal to or greater than of the prior year, noting the limited exceptions to maintenance of effort provided for in state and federal law.

State Special Education Revenue and Federal Local Assistance Grant funds, are distributed on an

Average Daily Attendance (ADA) basis, after regionalized SELPA services are funded first. These services include partial funding for SELPA operated programs, SELPA office operations, pooled funds for a variety of purposes such as legal education. All direct allocations to districts are distributed proportionally, based on ADA. Any property taxes allocated to the SELPA are used to partially fund SELPA regional services.

Infant Discretionary funds are allocated pursuant to applicable state and federal laws, and are used to fund regionalized programs for students with severe disabilities.

Preschool local assistance funds are also allocated pursuant to applicable state and federal laws, and are used to fund district operated, preschool special education programs for students with disabilities.

Revenue subject to the SELPA allocation Model include the following:

- a) IDEA Basic Local Assistance Entitlement, Part B (RS 3310),
- b) IDEA Local Preschool Grant, Part B (RS 3315)
- c) IDEA Mental Health Allocation Plan, Part B (RS 3327)
- d) IDEA Early Intervention Grants, also referred to as Part C, Early Start (RS 3385)
- e) IDEA Preschool Staff Development, Part B, (RS 3345)
- f) IDEA Alternative Dispute Resolution (RS 3395)
- g) State Special Education, also referred to as AB 602, (RS 6500)
- h) State Special Education: Mental Health Services, also referred to as AB 114, (RS 6546)
- i) State Special Education: Infant Discretionary Funds (RS 6515)

#### **Age 0-3 years, Infant/Toddler Funds**

Infant special education funds, including RS 3385 and RS 6515, are used to operate the Infant Development Special Education Program (age 0-3 years).

#### **Age 3-22 years, School Age Funds**

State and Federal special education funds, including RS 3310, RS 3315, RS 3327, RS 3345, RS 3395, RS 6500 and RS 6512, are allocated based upon prior year Average Daily Attendance (ADA).

All federal and state special education funds shall be allocated to the SELPA for distribution to member LEAs according to an approved Special Education Funding Allocation Plan. It shall be the sole decision of the Governance Council (GC) regarding any changes to the allocation of federal and state special education funds. The SELPA Director is responsible to ensure that the funds are distributed in accordance with the funding allocation plan.

A collaborative between Alta California Regional Center (ACRC), Early Head Start, California Children's Services, and Family Empowerment Centers ensures services to infants and their families. For a listing of programs for early childhood special education programs and services for children aged three through five years of age, see the Annual Service Plan.

The RLA/AU shall be responsible for functions including, but not limited to:

- Receipt and distribution of any funds for the operation of special education programs to appropriate accounts.

- Receipt and distribution of special education funds to accounts exclusively designated for SELPA use.

## **F2. Monitoring the use of State and Federal Funds**

Each LEA is independently audited annually.

For the purpose of reviewing and submitting mandatory reports, including the Excess Cost Calculation, Special Education Maintenance of Effort – Actual, and Special Education Maintenance of Effort - Budget, the SELPA annually collects and aggregates LEA special education financial data. SELPA aggregates data for federal grants, including calculation of proportionate share.

## **F3. Annual Budget Plan**

The SELPA shall adopt an annual budget plan at a public hearing scheduled at a GC meeting in compliance with all legal mandates. The annual budget plan shall identify expected income and expenditures as required by state and federal laws.

## **F4. Annual Service Plan**

The SELPA shall adopt an annual service plan at a public hearing scheduled at a GC meeting in compliance with all legal mandates. The service plan provides an overview of the programs and services available within the SELPA.

## **F5. Programs for Early Childhood Special Education**

A collaborative between Alta California Regional Center (ACRC), Early Head Start, California Children's Services, and Family Empowerment Centers ensures services to infants and their families. For a listing of programs for early childhood special education programs and services for children aged three through five years of age, see the Annual Service Plan.

## **F6. Oversight of Nonpublic School Placements**

Each LEA that contracts with a nonpublic, nonsectarian school shall evaluate the placement of its pupil(s) in such schools on at least an annual basis as part of the annual IEP review. The LEA representative shall review the master contract, the individual services agreement, and the IEP to ensure that all services agreed upon and specified in the IEP are provided.

Nonpublic, nonsectarian schools are required by the master contract and the IEP to annually evaluate the pupil to determine if he/she is making appropriate educational progress. The LEA representative shall collaboratively review with the nonpublic, nonsectarian school the evaluations conducted by the nonpublic, nonsectarian school to ensure that they were appropriate and valid for measuring pupil progress. The LEA may choose to administer additional assessments as necessary, with parent consent where required, to determine whether the pupil is making adequate educational progress.

## **F7. Utilization of General Education Resources**

Each LEA shall ensure that a pupil is referred for special educational instruction and services only after the resources of the general education program have been considered and, as appropriate, utilized. Such resources may include, but not be limited to, response to intervention models, student success teams, early literacy programs, and remedial programs. The District/LEA shall ensure that evaluations of children suspected of having a disability are not delayed or denied because of the implementation of intervention strategies.

## **F8. Access to Core Curriculum**

Each LEA shall ensure that students with disabilities will have access to required core curriculum including state adopted core curriculum and supplementary materials.

#### **F9. Services to Incarcerated Adult Students**

##### **Enrollment and Intake Procedures**

Students who were found eligible for special education services prior to incarceration in an El Dorado County or Alpine County Detention Facility, shall be identified by the El Dorado County Sheriff, South Lake Tahoe law enforcement agencies, Washoe Tribe public safety/law enforcement agencies, and or Alpine County law enforcement agencies; the adult student or the adult student's appointed representative. Upon referral from the El Dorado County, Alpine County and or Washoe Tribe law enforcement agency, the Tahoe-Alpine SELPA shall ensure the provision of special education services for inmates who remain eligible for such services, and

- a) whose parent or conservator currently resides within the Tahoe-Alpine SELPA's boundaries; or
- b) whose parents resided within the Tahoe-Alpine SELPA's boundaries when the inmate turned 18, and who remain residents of the SELPA.

##### **Responsible Agency**

It shall be the responsibility of the DSEA to provide services to the identified individual in an El Dorado or Alpine County Detention Center. If the Tahoe-Alpine SELPA is not the responsible SELPA for an inmate identified by the appropriate El Dorado County and or Alpine County law enforcement agency, the Tahoe-Alpine SELPA shall make every effort to identify and contact the responsible district/SELPA.

#### **F10. Low Incidence Funds**

Funds for low incidence equipment, materials, and supplies as well as for low incidence services are restricted to support of students in the following disability categories: hard-of-hearing, deaf, visual disability, severely orthopedically impaired, and deaf-blind. The funds are administered through the Tahoe-Alpine SELPA as specified in the Tahoe-Alpine SELPA Procedural Manual and include receipt of funds, expenditure of funds, maintenance of an inventory, development of procedures for exchange of equipment, and reporting to the state.

#### **F11. Request for SELPA Membership by a Charter School**

A request by a charter school to participate as an LEA in the Tahoe-Alpine SELPA will not be treated differently from a similar request made by a school district. Procedures related to charter school participation in the Tahoe-Alpine Local Plan are specified in the Tahoe-Alpine SELPA Procedural Manual.

In reviewing and approving a request by a charter school to participate as a local educational agency in a special education local plan area, the following requirements shall apply:

- a) The special education local plan area shall comply with Section 56140. The charter school shall participate in state and federal funding for special education and the allocation plan developed pursuant to subdivision (i) of Section 56195.7 or Section 56836.05 in the same manner as other local educational agencies of the special education local plan area.
- b) The charter school shall participate in governance of the special education local plan area in the same manner as other local educational agencies of the special education local plan area.

### **G. Policies, Procedures, and Local Agreements**

SELPA policies, procedures, and local agreements necessary to support the implementation of the local

plan, and as required by legal mandates, have been developed and are available upon request. These documents are available on the Tahoe-Alpine SELPA website.

### **G1. Interagency Agreements**

Interagency agreements necessary to support the implementation of the local plan, and as required by legal mandates, have been developed with the following agencies:

- a) El Dorado Health & Human Services/California Children's Services
- b) Alta California Regional Center (ACRC) – Part C
- c) Alta California Regional Center (ACRC) – Part B
- d) Family Empowerment Centers
- e) California Children's Services (CCS)/Medical Treatment Unit (MTU)
- f) SELPA Agreement to operate programs for student who are Deaf / Hard-of-Hearing

### **G2. Public Addressing the Governing Body**

Members of the public, including parents or guardians of students with disabilities, may address questions or concerns to the governing boards of each LEA, the GC, and/or the Community Advisory Committee.

### **G3. Dispute Resolution**

The process for mediation at the GC level is as follows: The Chairperson of the Governance Council (GC) mediates the differences between the participating districts. If the Chairperson is a party to the disagreement, an impartial superintendent participates in the mediation process. When resolution cannot be reached, a three-person panel composed of the SELPA Director the Chairperson of the GC and a special education director selected by the GC serve as the final arbitrators. If any of these individuals are party to the disagreement, the group at large selects an impartial individual from each of these groups.

In the event a dispute involves multiple members LEAs rendering it not feasible or practicable to form a mediating committee, the GC may direct the SELPA Director SELPA to engage a neutral third party to provide the mediation.

### **G4. Legal References**

Federal Requirements: 20 USC 1412 (a), 20 USC 1413 (a) (1), 20 USC 1413 (a) (5) 9

State Requirements: EC 56001 (f) 1, 56190-56194 6, 56195.1 (b) (c) 5, 56195.3 2, 56195.9 3, 56025 (a) (12) 4, 56205 (b) (4) 8, 56205 (b) (5) 7, 47640-47647 10, 56195.1, 56203, 56207.5

