

LOCAL PLAN

Section B: Governance and Administration

SPECIAL EDUCATION LOCAL PLAN AREA



California Department of Education

Special Education Division

January 2020

SELPA Nevada County

Fiscal Year 2020-21

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

Participating Local Educational Agencies

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

Special Education Local Plan Area—Local Plan Requirements

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

The Nevada County SELPA is composed of the seventeen local education agencies (LEAs) of Nevada County including the nine school districts, five charter LEAs, and the office of the County Superintendent of Schools of Nevada County:

Charters: Bitney College Prep High, Yuba River Charter, Nevada City School of the Arts, Forest Charter, Twin Ridges Home Study Charter, Nevada County Office of Education- EPIC de Cesar Chavez, John Muir Charter, Alternative Education

School Districts: Chicago Park Elementary, Clear Creek Elementary, Grass Valley School District, Nevada City Elementary, Nevada Joint Union High, Pleasant Ridge Union Elementary, Union Hill Elementary, Twin Ridges Elementary, and Penn Valley Union Elementary.

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

The Nevada County Superintendent of Schools has been designated as the Responsible Local Agency (RLA), and the Nevada County Superintendent of Schools as the Superintendent of the RLA. In adopting the completed Local Plan, each LEA agrees to carry out the duties and responsibilities assigned to each agency within the Plan, or which may be delegated at a later date through agreement of the participating agencies.

For the purposes of the local plan, the term "LEA" refers to member school districts, member Charter Schools and the County Office of Education. The term "Superintendent" refers to the superintendent or chief officer of each participating LEA. The term "school district" refers to school districts and charters that have been approved as LEAs for the purposes of providing special education.

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, and to those eligible individuals who are residents of other SELPAs who may be in need of services, and who in accordance with the provisions of the annual budget plan of the cooperating Local Plan Area attend programs in this region.

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, other applicable laws, and the policies and procedures of the Special Education Local Plan Area.

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The governance structure of the SELPA is established by agreement among the governing boards of the member LEAs.

Governance of the Nevada County SELPA is composed of three committees: The Council of Superintendents, the Special Education Administrators Committee, and the Community Advisory Committee.

The SELPA Administrator is responsible for the coordination of the SELPA and the implementation of the local plan. All committees provide a method by which members of the public may address questions or concerns to the governing body.

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

Responsible Local Agency

The Council of Superintendents has designated the Nevada County Superintendent of Schools as the Responsible Local Agency (RLA) for Nevada County SELPA. The RLA is the SELPA's fiscal agent and is responsible for implementing the following functions in regards to the Local Plan:

- Serve as the employing agency for personnel who have responsibilities throughout the Local Plan Area. Such personnel will include, but not be limited to, the SELPA Program Administrator for the Local Plan Area, SELPA Coordinator, Program Specialists and classified employees of the SELPA. Employment of such personnel will be in accordance with personnel policies and practices of the Responsible Local Agency and in coordination with any procedural employment policies approved by the Council of Superintendents to implement the local plan.

SELPA Administrator

The SELPA Administrator is responsible for the coordination of the SELPA and the implementation of the local plan. All committees provide a method by which members of the public may address questions or concerns to the governing body.

Under the direction of the RLA Superintendent, the SELPA Administrator shall be responsible to:

- Develop, implement, supervise, and provide for the evaluation of the Regionalized Services program.
- Prepare and submit approved annual budget and service plans.
- Meet with the Council of Superintendents to report the status of the special education programs.
- Establish a procedure for the regular distribution of the agenda and minutes of meetings of the Council of Superintendents, Special Education Administrators Committee, and Nevada County SELPA Community Advisory Committee.
- Serve as the chairperson of SEAC and assist SEAC members to implement each LEA's responsibility under the Local Plan.

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- Function as a liaison secretary to the CAC, assist in promoting community involvement, and work closely with the Committee to develop recommendations to be presented to SEAC.
- Prepare an annual budget for Regionalized Services to be submitted in conjunction with the Annual Budget to the Council of Superintendents and the Superintendent of the RLA.
- Prepare an annual report on the status of special education programs and services for the Council of Superintendents and others, as appropriate.
- Recommend employment of, assign, supervise, and evaluate staff employed by the SELPA.
- Provide assistance to SELPA staff to carry out their responsibility to ensure that all pupils have access to full educational opportunities.
- Provide necessary procedures and data to the RLA to allocate federal and state funds to the LEAs within the SELPA.
- Provide support to the LEAs of the SELPA in their operation of special education programs and services.
- Monitor the appropriate use of federal, state, and local funds allocated for special education programs.
- Prepare program and fiscal reports required of the SELPA by the state and manage the CALPADS data system to comply with all state requirements.
- Schedule regular meetings of the Council of Superintendents, SEAC, and CAC for policy and budget development, support, and information sharing.
- Ensure the implementation of all federal, state, and local responsibilities of the SELPA, including personnel development, procedural safeguards, and other assurances.
- Develop and recommend to the Council of Superintendents a plan for personnel development, including training for staff, parents, and members of the CAC.
- Coordinate procedures to assist LEAs with nonpublic schools (NPS) and nonpublic agency (NPA) services.
- Assist LEAs in mediation and due process hearings.

Council of Superintendents (COS)

The Council of Superintendents (COS) is an administrative body that shall consist of a superintendent from each of the participating LEAs and the superintendent of the RLA or a designee, each of whom shall provide a liaison function between the LEA governing board and the COS. LEA Superintendents exercise their authority and responsibilities in accordance with policies and procedures of their local governing boards and within the voting procedures of

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the Council of Superintendents.

Responsibilities of the Council of Superintendents

The Council, with direction from the LEA governing boards, shall act to:

- Establish operational procedures and make decisions on any matter regarding implementation, administration and operation of special education programs in accordance with the Local Plan.
- Determine and provide direction on any matter pertaining to personnel, Local Plan, program and service requirements, and allocation of Special Education funds.
- Meet as often as necessary during the year to implement the business of the Special Education Local Plan Area and to provide the necessary direction and guidance to the SELPA Administrator.
- Provide direction, consultation and technical assistance to the local education agencies and the Superintendent of the Responsible Local Agency.
- Develop rules, regulations, and procedures to ensure effective management and content of special education programs and services.
- Provide a consistent forum to develop, initiate, review, and approve policy.
- Recommend to the Superintendent of the Responsible Local Agency a qualified candidate or candidates to be employed as the SELPA Administrator.
- Coordinate with Special Education Advisory Committee, providing direction and technical assistance to ensure communication between SEAC and the Council of Superintendents.
- The Superintendent of each Local Education Agency shall be a member of the Council of Superintendents and shall provide a liaison function between the Local Agency governing Board and the Council.

Responsibilities of the Superintendent of the Local Education Agency

- Provide leadership within the Local Education Agency in support of the special education programs.
- Represent the Local Education Agency as a member of the Council of Superintendents.
- Act as a liaison between the governing board of the Local Education Agency and the Council of Superintendents.
- Advise the Local Education Agency governing boards of policies adopted by the Council of Superintendents and provide the governing boards with copies of such policies.
- Recommend the adoption of Local Education Agency Special Education policies to the governing boards.

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- Annually recommend to the governing board the modifications of Local Education Agency special education programs which are necessary to meet the changing needs of the students, to be included in the required Annual Service and Budget Plans submitted to the SELPA.

The County Superintendent of Schools of Nevada County shall be designated as the Superintendent of the Responsible Local Agency. The RLA Superintendent will serve as chairperson of the Council of Superintendents and will have the responsibility for the coordination and implementation of the Local Plan in accordance with approved policies and procedures.

If the RLA Superintendent is unable to attend a council meeting, the chairperson will appoint a substitute chairperson for the meeting. All meetings of the council will be held according to the law and the Brown Act.

COS will meet monthly during the school year, but may meet more often as needed. The Council will utilize a weighted vote, with every LEA having at least one vote. The RLA shall receive ten percent of the total student count of the LEAs. The allotted votes will be calculated using the prior year October CALPADS/CBED report.

Members representing two-thirds of the vote shall be present to constitute a quorum. A two-thirds vote of those present will be sufficient to approve any action. The LEA Superintendent shall provide the Council with written notification of a designee's voting authority in the Superintendent's absence.

Responsibilities of the Responsible Local Agency Superintendent (RLA)

- Serve as Chairperson of the Council of Superintendents and arrange the schedule, time, and place for meetings of the Council.
- Serve as the employing agency for personnel who have responsibilities throughout the Local Plan Area. Such personnel will include, but not be limited to, the SELPA Administrator for the Local Plan Area, SELPA Coordinator, and Program Specialists. Employment of such personnel will be in accordance with personnel policies and practices of the Nevada County Superintendent of Schools and procedural employment policies approved by the Council of Superintendents.
- Employ appropriate classified personnel in support of the Local Plan Area certificated staff.
- Provide suitable office space for both certificated and classified employees of the SELPA.
- Provide for the annual evaluation of the SELPA Administrator for the Local Plan Area, SELPA Coordinator, Program Specialists, and other certificated specialists, and report the results of these evaluations to the Council of Superintendents.
- Receive and maintain accountability for the use of Regionalized Service funds

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appropriated to the Special Education Local Plan Area.

- Establish appropriate record keeping procedures to be followed by each Local Education Agency for purposes of maintaining accurate fiscal and accounting records in accordance with State and Federal requirements and submit required reports to the appropriate authorities.
- Provide technical support for the Management Information System necessary to comply with the requirements of the State Department of Education
- Recommend to the Council of Superintendents a plan for the sharing of Regionalized Service funds when Local Education Agencies are required to perform duties related to staff development, fiscal and accounting reports or other data gathering activities associated with required reporting activities.
- Initiate the development of policies and procedures to be followed by all agencies participating in the Local Plan to ensure that the Procedural Safeguards enumerated in E.C. Sections 56500, et. seq., are extended to the pupil, the parent, and the public education agency in a consistent manner throughout the Local Plan Area.
- Maintain an awareness of the activities of the Special Education Administrators Committee (SEAC) and encourage a working relationship with the SEAC group.
- Monitor the utilization of funds within the Local Plan Area and recommend amendments to the SELPA allocation plan.
- Initiate the development of policies and procedures to be followed by the LEAs participating in the SELPA to ensure that all Procedural Safeguards are extended to pupils, parents, and education agencies in a consistent manner throughout the SELPA.

Special Education Administrators Committee (SEAC)

The Special Education Administrators Committee will consist of one representative appointed by each local agency. The Special Education Administrators Committee shall be an advisory body to the SELPA Administrator and the Council of Superintendents. The Special Education Administrators are responsible as individuals for the operation of the Local Education Agency programs to ensure that all eligible children with disabilities receive appropriate services.

Responsibilities of the Special Education Administrators Committee

- Advise the SELPA Administrator and the Council of Superintendents regarding the status, accomplishments, and needs of special education programs operated within the Local Education Agencies on a regular basis.
- Provide technical advice and assistance to the Council of Superintendents and the SELPA Administrator.
- Provide leadership and support through inter-district relationships and implement, the

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Local Plan, including any regionalized services/programs.

- Act as liaison with parents, community resources, Community Advisory Committee members, other Local Education Agencies, the SELPA Administrator, and the Council of Superintendents.
- Gather, interpret, and report data regarding the implementation, administration, and operation of the Local Plan.
- Coordinate and facilitate the day to day participation of Local Education Agency Special Education personnel and utilize other available district resources to improve special education services in accordance with the provisions of the Local Plan and decisions made by the Council of Superintendents.
- Advise the SELPA Administrator of the annual program needs of the Local Plan Area to be considered in the development of the annual budget plan and recommend programs and services to be considered for inclusion in the Regionalized Services Program budget.
- Recommend and coordinate staff development activities in the SELPA.
- Participate in the development of appropriate special education services to ensure that when specified in the pupil's IEP, pupils with disabilities will have access to equivalent education programs and services as non-disabled pupils at the various age/grade levels.
- Develop and recommend local eligibility requirements in accordance with federal state laws and regulations.

Community Advisory Committee (CAC)

Serves the Special Education Local Plan Area and the Superintendent of the RLA in an advisory capacity, in accordance with Education Code 56190-56194 and the locally held procedures specified in the Nevada County CAC Handbook.

Parents comprise a majority of the membership of the Community Advisory Committee (CAC) and of these members, the majority must be parents of children with disabilities. Members of local Parent Teacher Committees, special education teachers, general education classroom teachers and school personnel, students with disabilities, representatives of related public and private agencies, and other persons concerned with the needs of children with disabilities may also be represented. A simple majority of members must be present to establish quorum.

Responsibilities of the Community Advisory Committee (CAC)

- Advise the SELPA Administrator, the Superintendent of the RLA, the Special Education Administrators Committee, and Council of Superintendents regarding the development, amendment, and review of the Local Plan, programs and services.
- Inform and advise Special Education Local Plan Area staff regarding community conditions, aspirations, and goals for children with disabilities.

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- Make recommendations for annual priorities to be addressed by the SELPA.
- Assist in parent education and in recruiting parents, volunteers, and agencies who may contribute to the implementation of the Local Plan.
- Encourage community awareness and involvement in the development and review of the Local Plan.
- Support activities on behalf of children with disabilities.
- Facilitate communication among schools, parents, and community.
- Assist in developing parental awareness of the importance of regular school attendance.
- Establish and review by-laws to govern committee operations, including a procedure designed to provide for a systematic rotation of the membership.
- Communicate with the district SEAC representative about information to be shared with other parents.

Local Governing Boards

The Governing Board of each Local Education Agency will have the responsibility to operate those programs which have been assigned to the Local Agency through the annual budget plan developed for the Local Plan Area, maintain an awareness of the special education activities of the Local Plan through the Local Education Agency Superintendent, and participate in the development and implementation of policy decisions as provided for in the Local Plan.

Responsibilities of the local governing boards

- Carry out the duties and responsibilities assigned to each LEA.
- Annually review and approve special education programs and services of the Local Education Agency.
- Operate local programs consistent with state and federal law and regulations as well as policies and procedures approved for the Special Education Local Plan Area.
- Designate the Superintendent of the LEA to participate in the development and adoption of policies related to the governance and operation of the Special Education Local Plan Area.
- Develop and adopt policies for the operation of the Local Education Agency that which are consistent with those of the Special Education Local Plan area and which promote the concept to ensure access to appropriate programs and services for all children with disabilities.
- Participate in the nomination, selection, and appointment of Local Agency representatives

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to the Community Advisory Committee.

- Provide suitable housing for special education programs maintained by the Local Education Agency.
- Cooperate with the Superintendent of the RLA and the governing boards of participating Local Agencies to assure the availability of appropriate services to eligible individuals regardless of district of residence.
- Approve the state-required policies of the Local Plan developed for the Nevada County Special Education Local Plan Area prior to review by the State Department of Education.
- Ensure LEA compliance with all elements of the Local Plan.

Local governing board responsibilities for policy making

Suggestions leading to the development of policy statements and/or changes in existing policy may originate at any level within the governance structure of the Nevada County Special Education Local Plan Area including the Community Advisory Committee in its capacity. Policy considerations are to be dealt with in accordance with the following procedure:

- All suggestions and/or requests for policy development or change are to be directed to the Council of Superintendents, passing through any intermediate review steps, as dictated by the governance structure.
- The Council of Superintendents will consider all such requests.
- If the Council determines such a policy is desirable or needed, the Council will write a draft of such policy.
- The Council of Superintendents will take action to approve or reject the proposed policy. A policy will be considered adopted when a majority of the Council of Superintendents vote to approve it in accordance with policy established by the council.

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

The Nevada County Superintendent of Schools has been designated as the Responsible Local Agency (RLA), and the

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Nevada County Superintendent of Schools as the Superintendent of the RLA. In adopting the completed Local Plan, each LEA agrees to carry out the duties and responsibilities assigned to each agency within the Plan, or which may be delegated at a later date through agreement of the participating agencies.

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

Request for SELPA Membership by a Charter School

A request by a charter school to participate as an LEA in the Nevada County SELPA will not be treated differently from a similar request made by a school district. In reviewing and approving such a request, the following requirements shall apply:

- The charter school shall participate in state and federal funding for special education and receive funding in the manner specified in the SELPA income distribution model.
- The charter school shall participate in the governance of the SELPA in the same manner as other LEAs of the SELPA.
- The addition of new members to the Nevada County SELPA, as approved by the Council of Superintendents, shall be followed by an amendment to the local plan.

Charters that are part of the SELPA membership are included in the Local Plan policies and procedures.

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

Community Advisory Committee (CAC)

Serves the Special Education Local Plan Area and the Superintendent of the RLA in an advisory capacity, in accordance with Education Code 56190-56194 and the locally held procedures specified in the Nevada County CAC Handbook.

Parents comprise a majority of the membership of the Community Advisory Committee (CAC) and of these members, the majority must be parents of children with disabilities. Members of local Parent Teacher Committees, special education teachers, general education classroom teachers and school personnel, students with disabilities, representatives of related public and private agencies, and other persons concerned with the needs of children with disabilities may also be represented. A simple majority of members must be present to establish quorum.

Responsibilities of the Community Advisory Committee (CAC)

- Advise the SELPA Administrator, the Superintendent of the RLA, the Special Education Administrators Committee, and Council of Superintendents regarding the development, amendment, and review of the Local Plan, programs and services.
- Inform and advise Special Education Local Plan Area staff regarding community conditions, aspirations, and goals

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for children with disabilities.

- Make recommendations for annual priorities to be addressed by the SELPA.
- Assist in parent education and in recruiting parents, volunteers, and agencies who may contribute to the implementation of the Local Plan.
- Encourage community awareness and involvement in the development and review of the Local Plan.
- Support activities on behalf of children with disabilities.
- Facilitate communication among schools, parents, and community.
- Assist in developing parental awareness of the importance of regular school attendance.
- Establish and review by-laws to govern committee operations, including a procedure designed to provide for a systematic rotation of the membership.
- Communicate with the district SEAC representative about information to be shared with other parents.

The Community Advisory Committee appointment and membership (E.C. 56191) The Community Advisory Committee shall consist of members appointed by the Local Agency Governing Boards including the County Board of Education. The appointments from each agency may include parents of students enrolled in general education, parents of students with disabilities enrolled in public or private schools, pupils or adults with disabilities, district personnel including teachers, representatives of other public agencies, or other persons concerned with the needs of children with disabilities. A district who has no district appointee may elect to be represented by a representative recommended and appointed from another district of their choice. All relevant public agencies will be invited to send a representative to serve on the Community Advisory Committee.

Members appointed to represent a school district are to be appointed by the governing board of the school district. All parent members of the committee must reside within the geographic area of the Special Education Local Plan Area.

Membership shall terminate for a member who is absent from three consecutive regular meetings without the member contacting the SELPA. A member may resign by filing a written resignation with the chairperson of the Community Advisory Committee and their LEA Board.

The Chairperson of the CAC shall be a member of the Committee to review and periodically revise the Local Plan.

Term of office:

Each member of the Community Advisory Committee shall be appointed for a two-year term and may be reappointed to serve additional consecutive terms. A term constitutes any portion of a calendar year.

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

Every year, the CAC convenes a special board meeting to gather input from special education teachers, general education teachers, and administrators selected by the groups they represent and parent members of the CAC regarding the Local Plan. A summary of this input from said parties is shared with the Assistant Superintendent,

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SELPA, and the COS.

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

Distribution of Special Education Funds

A. Rationale

Both federal and state law requires assurances that all eligible pupils residing within a SELPA have equal access to special education programs and services regardless of their district of residence. To accomplish this goal, the Council of Superintendents is required to (1) have a process for allocating funds in accordance with laws and regulations; (2) develop an annual budget allocation plan; and (3) monitor the use of special education funds.

The Nevada County SELPA is composed of the seventeen local education agencies (LEAs) of Nevada County, including the ten school districts, five charters, and the office of the Nevada County Superintendent of Schools. For purposes of identifying funding, charters and/or charter groups shall be funded through their chartering or supporting LEA.

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

The Nevada County SELPA maintains contractual agreements with the local entities to provide a coordinated system of identification, referral and placement, parent education and advocacy, and other activities. All contractual agreements, including memorandum of understanding, are located at the SELPA office and are available upon request.

10. For multi-LEA local plans, specify:

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

Local Governing Boards

The Governing Board of each Local Education Agency will have the responsibility to operate those programs which have been assigned to the Local Agency through the annual budget plan developed for the Local Plan Area, maintain an awareness of the special education activities of the Local Plan through the Local Education Agency Superintendent, and participate in the development and implementation of policy decisions as provided for in the Local Plan.

Responsibilities of the local governing boards

- Carry out the duties and responsibilities assigned to each LEA.

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- Annually review and approve special education programs and services of the Local Education Agency.
- Operate local programs consistent with state and federal law and regulations as well as policies and procedures approved for the Special Education Local Plan Area.
- Designate the Superintendent of the LEA to participate in the development and adoption of policies related to the governance and operation of the Special Education Local Plan Area.
- Develop and adopt policies for the operation of the Local Education Agency that which are consistent with those of the Special Education Local Plan area and which promote the concept to ensure access to appropriate programs and services for all children with disabilities.
- Participate in the nomination, selection, and appointment of Local Agency representatives to the Community Advisory Committee.
- Provide suitable housing for special education programs maintained by the Local Education Agency.
- Cooperate with the Superintendent of the RLA and the governing boards of participating Local Agencies to assure the availability of appropriate services to eligible individuals regardless of district of residence.
- Approve the state-required policies of the Local Plan developed for the Nevada County Special Education Local Plan Area prior to review by the State Department of Education.
- Ensure LEA compliance with all elements of the Local Plan.

Local governing board responsibilities for policy making

Suggestions leading to the development of policy statements and/or changes in existing policy may originate at any level within the governance structure of the Nevada County Special Education Local Plan Area including the Community Advisory Committee in its capacity. Policy considerations are to be dealt with in accordance with the following procedure:

All suggestions and/or requests for policy development or change are to be directed to the Council of Superintendents, passing through any intermediate review steps, as dictated by the governance structure.

The Council of Superintendents will consider all such requests.

If the Council determines such a policy is desirable or needed, the Council will write a draft of such policy.

The Council of Superintendents will take action to approve or reject the proposed policy. A policy will be considered adopted when a majority of the Council of Superintendents vote to approve it in accordance with policy established by the council.

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

Responsibilities of the superintendents of each participating Local Education Agency (LEA) shall include, but not be limited to:

Being responsible for special education programs operated by the LES and for implementing all requirements of the Local Plan

Participating in the Governing Council

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Council of Superintendents (COS)

The Council of Superintendents (COS) is an administrative body that shall consist of a superintendent from each of the participating LEAs and the superintendent of the RLA or a designee, each of whom shall provide a liaison function between the LEA governing board and the COS. LEA Superintendents exercise their authority and responsibilities in accordance with policies and procedures of their local governing boards and within the voting procedures of the Council of Superintendents.

Responsibilities of the Council of Superintendents

The Council, with direction from the LEA governing boards, shall act to:

- Establish operational procedures and make decisions on any matter regarding implementation, administration and operation of special education programs in accordance with the Local Plan.
- Determine and provide direction on any matter pertaining to personnel, Local Plan, program and service requirements, and allocation of Special Education funds.
- Meet as often as necessary during the year to implement the business of the Special Education Local Plan Area and to provide the necessary direction and guidance to the SELPA Administrator.
- Provide direction, consultation and technical assistance to the local education agencies and the Superintendent of the Responsible Local Agency.
- Develop rules, regulations, and procedures to ensure effective management and content of special education programs and services.
- Provide a consistent forum to develop, initiate, review, and approve policy.
- Recommend to the Superintendent of the Responsible Local Agency a qualified candidate or candidates to be employed as the SELPA Administrator.
- Coordinate with Special Education Advisory Committee, providing direction and technical assistance to ensure communication between SEAC and the Council of Superintendents.
- The Superintendent of each Local Education Agency shall be a member of the Council of Superintendents and shall provide a liaison function between the Local Agency governing Board and the Council.

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

Roles and Responsibilities of Participating Entities

Responsible Local Agency

The Council of Superintendents has designated the Nevada County Superintendent of Schools as the Responsible Local Agency (RLA) for Nevada County SELPA. The RLA is the SELPA's fiscal agent and is responsible for implementing the following functions:

- Receive and distribute of special education funds for the operation of special education programs and services, pursuant to state and federal law.
- Establish appropriate record keeping procedures to be followed by each Local Education Agency for purposes of

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maintaining accurate fiscal and accounting records in accordance with State and Federal requirements and submit required reports to the appropriate authorities.

- Serve as the employing agency for personnel who have responsibilities throughout the Local Plan Area. Such personnel will include, but not be limited to, the SELPA Program Administrator for the Local Plan Area, SELPA Coordinator, Program Specialists and classified employees of the SELPA. Employment of such personnel will be in accordance with personnel policies and practices of the Responsible Local Agency and in coordination with any procedural employment policies approved by the Council of Superintendents to implement the local plan.
- Oversee any employment issues involving SELPA employees, except for the SELPA Administrator, including but not limited to, hiring, compensation, work performance, discipline, termination including layoff, etc., if deemed significant by the RLA and the SELPA Administrator. If the employment issue(s) involves the SELPA Administrator, the RLA Superintendent will discuss the issue(s) with the Chairperson COS, and they may make any recommendation to COS as deemed necessary.
- Provide administrative support, including establishing and maintaining an office for SELPA staff.
- Provide technical support for the Management Information System necessary to comply with the requirements of the State Department of Education.

Superintendent of the Responsible Local Agency RLA

The Nevada County Superintendent of Schools shall be designated as the Superintendent of the RLA. The RLA Superintendent will serve as chairperson of the Council of Superintendents and will have the responsibility for coordination and implementation of the local plan in accordance with approved policies and procedures. Furthermore, the RLA Superintendent will:

- Serve as Chairperson of the Council of Superintendents and arrange the schedule, time, and place for meetings of the Council.
- Arrange for the annual evaluation of the SELPA Administrator of the Local Plan Area by Council of Superintendents.
- Initiate the development of policies and procedures to be followed by all agencies participating in the Local Plan to ensure that the Procedural Safeguards enumerated are extended to the pupil, the parent/guardian, and the public education agency in a consistent manner throughout the Local Plan Area.

Local Educational Agency

Board policy of each LEA member of the Nevada County SELPA Local Plan shall indicate that the LEA is responsible for educating children with disabilities in the least restrictive environment. Placement in special education programs or services occurs only when the nature or severity of the disability is such that the child's education, even with the use of modifications of the general education program and/or supplementary aids and services, cannot be achieved satisfactorily. Children 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 have unique educational needs that cannot be met in their home districts. Because of such identified unique needs, some students receive services from other districts or the NCSOS. LEA responsibilities include:

- Coordinating and conducting child find activities.
- Developing and providing programs and services for all eligible students residing in the district and for students at private schools located in the district.

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- Identifying and serving students in medical, foster, or Licensed Childcare Institutions.
- Participating in state/district-wide assessments.
- Operating all special education programs and services in accordance with state and federal laws and regulations.
- Responding to compliance and due process complaints and implementing the decisions of compliance investigations or due process hearings.
- Utilizing the same management information system, forms, procedures, and guidelines as all other districts within the SELPA.
- Collecting and completing state and federal report requirement; including California Longitudinal Pupil Achievement Data System (CALPADS) reports and compliance reviews.

LEA Special Education Administrators

LEA special education administrators are responsible for the coordination of special education services and programs within their LEA and for the implementation of the local plan.

LEA Governing Boards

The governing board of each LEA shall approve its participation in the Nevada County SELPA Local Plan for Special Education. The local governing board responsibilities include, but are not limited to:

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

LEA Superintendents

LEA administration is responsible to their respective governing boards and shall be members of the Council of Superintendents. LEA Superintendents shall provide a liaison function between the LEA governing board and the Council. In addition, superintendent will:

- Provide leadership within the LEA in support of special education programs.
- Represent the LEA as a member of the Council of Superintendents.
- Advise the LEA governing board of policies adopted by the COS and provide the governing board with copies of such policies.
- Recommend the adoption of LEA special education policies to the governing board.
- Annually recommend to the governing boards the modifications of LEA special education programs which are necessary to meet the challenging needs of the students, to be included in the required Annual Service and Budget Plans submitted to the SELPA.

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

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with the local plan:

- A coordinated system of identification and assessment.
- A coordinated system of procedural safeguards.
- A coordinated system of staff development and parent education.
- A coordinated system of curriculum development and alignment with the core curriculum.
- A coordinated system of internal program review, evaluation and effectiveness of the local plan.
- Implementation of a local plan accountability mechanism.
- A coordinated system of data collection and management.
- A coordinated system of alternative dispute resolution processes.
- Coordination of interagency agreements.
- Coordination of services to medical facilities.
- Coordination of services to licensed children's institutions and foster homes.
- Preparation and transmission of required SELPA reports.
- Fiscal and logistical support of the CAC.
- Coordination of career, vocational and transition services.
- Coordination of transportation services for individuals with exceptional needs.
- Means by which full educational opportunity is ensured.
- Fiscal administration and the allocation of state and federal funds.

*Coordinated systems responsibilities located in the Locally Held Policies and/or in the Local Plan

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

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

Employment and evaluation of the SELPA Administrator

The procedure for the employment of the Nevada County SELPA Administrator will be a process jointly agreed upon by the RLA Administrator and the Council of Superintendents. The RLA Superintendent submits the name of the candidate to the Council of Superintendents for approval. It becomes the responsibility of the RLA Superintendent to evaluate the SELPA Administrator annually and report the results of the evaluation to the Council of Superintendents.

Employment and evaluation of the SELPA Coordinator and Program Specialists

Notices announcing vacancies for such positions as SELPA Coordinator or Program Specialists will be circulated through notices to school districts, county office of education, State SELPA Administrators, and appropriate college

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and university placement services. The employment process will involve the following steps:

Applications will be screened by a sub-committee of SEAC which will recommend a reasonable number of applicants for interview. An interview committee which includes the SELPA Administrator and at least one person each from the following categories will conduct the interviews:

Program Specialists

Special Education Administrators (SEAC)

Community Advisory Committee (CAC)

Special Education Personnel

From a list of the three top candidates, as determined by the interview committee, the SELPA Administrator shall recommend one candidate to the RLA Superintendent for approval.

The SELPA Administrator will annually utilize evaluation forms provided by the Nevada County Superintendent of Schools for each Program Specialist.

Work assignments of Program Specialists are subject to review and approval of the Council of Superintendents.

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

An income distribution agreement has been adopted by the SELPA and shall be reviewed and revised on a regular schedule. The model distributes all funds pursuant to applicable state and federal regulations. LEAs and the Nevada County Office of Education 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 that of the prior year (Maintenance of Effort), in compliance with state and federal mandates. The agreement is located in the Nevada County SELPA Locally Held Policy Manual- Reference Policy #104

- c. The operation of special education programs:

Each Local Education Agency (LEA) shall provide special education and related services to all eligible students within its boundaries, including students attending charter schools where a LEA of the SELPA has granted that charter, unless charter is designated as an independent LEA for Special Education. 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.

Such cooperation ensures that a range of program options is available throughout the SELPA. LEAs may enter into additional contractual agreements to meet the requirements of applicable federal and state law.

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

The SELPA administrator and the Administrative Unit (AU) shall be responsible to monitor on an annual basis the appropriate use of all funds allocated for special education programs. Final determination and action regarding the appropriate use of special education funds shall be made by the Governing Council through the annual budget plan process. SELPA annually collects and aggregates LEA special education financial data. The purpose is to review and submit mandatory reports, including Excess Cost Calculations, Special Education Maintenance of Effort- Actual and Special Education Maintenance of Effort-Budget. Each LEA is independently audited annually.

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

The use of funds in support of children identified as "low incidence" is governed by the approved policy of the SELPA Local Plan, Policy #105. The process to utilize low incidence funds includes the following procedures:

1. Funds allocated to the Administrative Unit from the State are deposited in a separate budgeting account established for that purpose.
2. The SELPA Administrator has the responsibility to manage the disbursement of funds in accordance with SELPA policy.
3. The "Low Incidence" sub committee, made up of SEAC representatives from LEAs providing services to low incidence students, has the responsibility to:
 - a. Develop an application process and appropriate forms to be used by each or low incidence funding.
 - b. Review all requests for low incidence funding submitted by LEAs and notify each LEA of the level of funds approved for expenditure.
4. All purchases of low incidence specialized books, materials and equipment are to be made by the LEA approved to purchase the item(s) in accordance with purchasing practices of the agency.
5. LEAs must submit copies of purchase orders, billings and verification of payment to the Administrative Unit in order to receive reimbursement for items purchased with low incidence funds.
6. The Administrative Unit shall maintain a record of the cost and location of all items purchased with low incidence dollars for specialized books, materials, and equipment.

Policies, Procedures, and Programs

Pursuant to *EC* sections 56122 and 56205(a), the SELPA ensures conformity with Title 20 *United States Code (USC)* and in accordance with Title 34 *Code of Federal Regulations (CFR)* Section 300.201 and has in effect policies, procedures, and programs. For each of the following 23 areas,

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identify whether, or not each of the following provisions of law are adopted as stated. If the policy is not adopted as stated, briefly describe the SELPA's policy for the given area. In all cases, provide the SELPA policy and procedure numbers; the document title; and the physical location where the policy can be found.

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

Policy/Procedure Number: Pg. 16 LP

Document Title: Free Appropriate Public Education 20 (USC) Section (§) 1412 (A)(1)

Document Location: NCSOS-SELPA 380 Crown Point Circle, Grass Valley, CA 95945
www.nevco.org

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

☒ Yes ☐ No

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

Policy/Procedure Number: Pg. 16 LP

Document Title: Full Educational Opportunity 20 USC § 1412 (A)(2)

Document Location: NCSOS-SELPA 380 Crown Point Circle, Grass Valley, CA 95945
www.nevco.org

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

☒ Yes ☐ No

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

Policy/Procedure Number: Pg. 16 LP

Document Title: Child Find 20 USC § 1412 (A)(3)

NCSOS-SELPA 380 Crown Point Circle, Grass Valley, CA 95945

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Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

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services cannot be achieved satisfactorily." The policy is adopted by the SELPA as stated:

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that the confidentiality of personally identifiable data, information,

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

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

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Document Title:

Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

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adopted by the SELPA as stated:

☒ Yes ☐ No

14. Personnel Qualifications

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

Policy/Procedure Title:

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Document Location:

NCSOS-SELPA 380 Crown Point Circle, Grass Valley, CA 95945
www.nevco.org

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

☒ Yes ☐ No

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

Policy/Procedure Number: Pg. 19 LP

Document Title:

Suspension/Expulsion 20 USC § 1412 (a)(22)

Document Location:

NCSOS-SELPA 380 Crown Point Circle, Grass Valley, CA 95945
www.nevco.org

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

☒ Yes ☐ No

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

Policy/Procedure Number: Pg. 19 LP

Document Title:

Access to Instructional Materials 20 USC § 1412 (A)(23)

Document Location:

NCSOS-SELPA 380 Crown Point Circle, Grass Valley, CA 95945
www.nevco.org

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

☒ Yes ☐ No

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

Policy/Procedure Number: Pg. 19 LP

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Document Title:

Document Location:

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

☒ Yes ☐ No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

Administration of Regionalized Operations and Services

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

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

Reference Number:

Document Title:

Document Location:

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Direct instructional support provided by program specialists:
Program Specialist duties shall be performed by SELPA Program Coordinators.

SELPA Coordinator personnel requirements:

- a) holds a valid special education credential, clinical services credential, health services credential, or a school psychologist authorization,
- b) holds a valid administrative services authorization, and
- c) 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.

Program Coordinator support services shall be available to individuals with exceptional needs, their families, and district staff.

Role of the RL/AU: The Administrative Unit (AU) for the Nevada County 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.
- 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. Submitting all SELPA budgets for Board approval, receiving, and expending those funds, based upon the needs of special education students residing in the local plan area, as recommended by the Council of Superintendents.
 - ii. Establishing and maintaining an office of the Nevada County Special Education Local Plan Area.
 - iii. The Assistant Superintendent, SELPA shall be employed to coordinate implementation of the local plan throughout the Nevada County Special Education Local Plan Area and with other SELPAs, as appropriate.
 - iv. Participating in funding the administrative cost of Special Education Local Plan Area office.

Role of the SELPA Administrator:

The Assistant Superintendent, SELPA is a full-time employee who serves as Executive Secretary to the Council of Superintendents and is a non-voting member of the Council.

Under the direction of the COS, the Assistant Superintendent, SELPA's responsibilities include:

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Description:

- a) Implementing regionalized services based upon annual priorities that include: administering personnel 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 program specialists; 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 development and coordinating implementation of interagency agreements with nonpublic school agencies providing services to exceptional students
- 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 following agencies: the California Department of Education, the Special Education Council, the Council of Superintendents, and the Community Advisory Committee (CAC)
- h) Applying 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) Providing technical assistance to local education agency special education program managers
- k) Prepare an annual budget for the various SELPA budgets to be submitted to the SELPA Governance and Finance Committee for review and input, to the Council of Superintendents for recommendation, and to the Superintendent of the AU for board adoption
- l) Recommend employment of, assign, and evaluate SELPA personnel
- m) Accounting to local education agencies for funds received and expended through the office, inclusive of the regionalized services budget
- n) Coordinating the preparation and submission of all state mandated reports required for the Local Plan area
- o) Resolving differences and acting as a mediator to reach consensus when differences of opinion occur between Local Education Agency

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directors or superintendents

p) Acting as an ex-officio member of all SELPA standing committees and appointed task forces

q) Meet and consult regularly with the special education directors of member local education agencies, school districts and the county office of education

r) Submitting the local plan to the County Superintendent for signature, assuring coordination of the Local Plans within the county, in compliance with requirements of Education Code section 56140

Role of the individual LEAs:

Each local education agency governing board is responsible for approving the participation of its local educational agency in this local plan for special education, as described in this local plan. 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 will approve any policies and procedures needed to implement the local plan.

2. Coordinated system of identification and assessment:

Reference Number:

Pages 91, 125-153 Locally Held Policies

Document Title:

Child Find, Identification, Screening, Referral, Assessment, Instructional Planning, Implementation and Review Procedures Manual

Document Location:

NCSOS-SELPA 380 Crown Point Circle, Grass Valley, CA 95945
www.nevco.org

A. Rationale

The Local Plan requirements adopted in 2002 require a policy for a local "Child Find" system.

B. Policy Statement

It is the intent of the Nevada County Special Education Local Plan Area to actively identify, locate and evaluate children with disabilities from birth through 18. The Child Find system is coordinated by the SELPA Administrator. Each local education agency shall have local procedures to implement the Child Find system.

C. Administrative Guidelines

1. The SELPA Administrator coordinates the dissemination of information and media announcements regarding Child Find activities including to pediatricians, hospitals,

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Early HeadStart and HeadStart programs, preschools, and public and private agencies.

2. Each local education agency designates an individual to be responsible for the Child Find activities of the district.
3. The person identified as responsible for Child Find activities of a local education agency develops a process for screening and identifying students suspected of being a child with a disability. Such procedures should include a method of disseminating information locally.
4. The SELPA Administrator enlists the aid and cooperation of the CAC in Child Find activities.
5. It is the responsibility of the local education agency to develop an IFSP/IEP and provide appropriate services for children identified as eligible for special education.

Procedures

1. Identification and Referral

a. In an effort to provide complete educational services to all children with disabilities, an active "Child Find," is operational in the Local Plan Area. The SELPA Administrator coordinates Child Find efforts. Every effort will be made to provide information to the general public, and to public and private agencies, about the availability of special education programs and services throughout the Local Plan Area.

b. Specific efforts are made to inform pediatricians, hospital neo-natal intensive care units, Head Start programs and operators of private pre-school licensed by state or local agencies of the availability of programs providing intensive special education services for pupils ranging in age from 0 to 2 years 11 months.

c. Each Local Education Agency (LEA) Special Education Administrator/designee will establish a process within his/her Local Education Agency to reach parent groups, staff assessment teams, site administrators and any neighborhood media, or communicators which are not likely to be approached by any other Local Education Agency or Special Education Administrator.

The SELPA will contact media, groups, and agencies which overlap districts in the county, and which are mainly focused within the Special Education Local Plan Area.

d. Referrals of pupils who may be in need of special education services will be actively solicited from teachers, parents, agencies, appropriate professional persons, and from community members. Efforts are ongoing to identify pupils who are not yet in school, pupils enrolled in school, and pupils who have left school prior to age 21.

e. Identification procedures will be coordinated with LEA's school site procedures for referral of pupils with needs that cannot be met with modification of the regular instructional program.

f. For pupils not yet in school, a process has been in effect to inform the communities throughout the Local Plan Area of special education services that may be available. Various means of communication are utilized for this community awareness process. Newspapers, television and public notices may be used. Information is also disseminated at meetings of interested groups. Pupils not in school and referred

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Description:

through the community awareness effort will be referred to the appropriate Local Agency for screening. The Local Agency will determine whether assessment and instructional planning is necessary.

g. For pupils enrolled in school, ongoing inservice training is provided for both general and special education personnel to identify pupils who may be eligible for special education services. Teachers will receive appropriate training regarding learning styles of pupils and variables which may affect the least restrictive environment.

h. Pupil/Child Success Teams. Such teams are utilized throughout the SELPA as a function of general education. In this context they are of value to special education and serve to:

- 1.) Identify pupils whose progress in school appears to be limited by unknown factors;
- 2.) Provide assurances that appropriate general classroom interventions have been tried without success prior to referral for special education services.

Pupil/Child Success Teams may be the vehicle used in the implementation of Section 504 of the Rehabilitation Act of 1973 by providing interventions and implementing modifications appropriate to meet the educational needs of pupils who may be deemed eligible as disabled under Section 504.

i. The Special Education Administrators Committee has developed the process which shall be followed by districts to screen pupils for eligibility in special education programs at the elementary and secondary levels. It is the responsibility of the special education administrator/designee of each district to ensure:

- 1.) That placement practices are consistent throughout the district.
- 2.) That all referrals for special education services are handled in accordance with the referral, assessment and placement procedures described in the law.
- 3.) That all appropriate resources of the regular education program have been considered, and where appropriate, utilized, prior to recommending special education services.

j. The SELPA Administrator shall have primary responsibility for developing and implementing uniform screening procedures throughout the Local Plan Area. The district special education administrator/designee shall be responsible for implementing Local Education Agency screening procedures in the district. The SELPA Administrator and the Special Education Administrators Committee have developed the screening procedures to be used whenever a pupil is referred for assessment. The responsibility of directing that assessment will rest with the Local Education Agency director. Consideration shall be given to assure that all procedural safeguards are adhered to throughout the screening and assessment process.

School personnel who suspect that a pupil may have a disability will refer those pupils to the appropriate Local Educational Agency's Special Education Administrator/designee at any time throughout each year. At the beginning of each school year, each Local Education Agency administrator/designee will send written directions to all staff and others who are in a position to identify unserved pupils with disabilities, reminding them of their responsibility in this regard, and the need for early referrals

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which will permit the identification and assessment process to be completed in a timely manner.

1.) District Responsibilities

Each LEA will:

- a.) Develop and adopt a written referral system which is consistent with laws and regulations identifies responsibilities of various district personnel.
- b.) Provide each site administrator with a copy of the referral system along with the name of a district level person who can assist him/her with referrals.
- c.) Contact local media, service clubs, local offices or agencies, local pupil's services and doctor's offices, district PTA's, etc. Cooperate with neighboring Local Educational Agencies in this regard.
- d.) Provide orientation for site administrators alerting them to expect contacts from citizens concerning unserved and inadequately served pupils and to their expected role when responding to such contacts.
- e.) Maintain an ongoing communications effort with local parent groups, advisory committees, and staff to ensure their having pertinent search information at all times.
- f.) Maintain a list of the groups and persons contacted. This list will be routinely reviewed with the SELPA to assure completeness and avoid duplication of effort.

2.) SELPA Responsibilities

The SELPA will:

- a.) Provide each Local Education Agency with current information and materials received by the SELPA.
 - b.) Provide information to and contact with organizations which serve large portions of the Local Plan Area, and who in the normal course of their duties would expect to come in contact with pupils with disabilities on how to proceed with a referral. Social Service agencies, Juvenile Courts, hospitals, Regional Centers, associations serving the disabled, etc., are examples of such agencies.
 - c.) Identify through reporting requirements pupil with disabilities in order to remain eligible to receive federal funds. Each year the Special Education Administrators Committee will review and, if necessary, modify this search plan.
- 3.) Each year the Special Education Administrators Committee will review and, if necessary, modify the search plan.

Assessment

As appropriate, each LEA in the SELPA is responsible to develop and complete assessments for all pupils referred to or receiving special education services within those programs, unless another Local Education Agency, such as the school district of residence of pupils from out of the district, or the appropriate county office enters into a specific agreement with the Local Education Agency operating the program to assume this responsibility. The responsibility for compliance in this regard rests with

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each Local Agency administrator/designee of special education or other persons assigned the responsibilities for special education service within the Local Education Agency.

Because of the limited size and resources of many districts, the Local Education Agencies may, by this agreement, share personnel and resources to the maximum extent possible, in order to ensure that each Local Education Agency is capable of providing a multi disciplinary assessment team for assessment purposes. The responsibilities of coordination for this purpose rest with the Special Education Administrators Committee and the SELPA Administrator.

The County Office and the SELPA have the major responsibility to assist direct service districts.

The SELPA Administrator will coordinate contacts with other public agencies which have special education responsibilities, and who can provide personnel to assist with assessment.

3. Coordinated system of procedural safeguards:

Reference Number:

Pages 114-116 Locally Held Policies

Document Title:

#402 Procedural Safeguards

Document Location:

NCSOS-SELPA 380 Crown Point Circle, Grass Valley, CA 95945
www.nevco.org

Procedural Safeguards

A. Rationale

The Code of Federal Regulations, [34 CFR §300.504 (a)] and [CFR §300.505 (a)] the California Education Code §56500-56508, California Code of Regulations 3080-89, et seq., and California Administrative Code Section 3, provide guarantees of due process procedures.

B. Policy Statement

All procedural safeguards of the Individuals with Disabilities Act, IDEA Amendments of 1997, and ensuing reauthorizations, shall be applicable to the local education agencies, and to parents and pupils who are participants in the Nevada County Special Education Local Plan Area. Parents shall be informed at least annually of their right to initiate due process actions and are to be informed of the process to follow when they have notified the local education agency of their intent to do so. Either the pupil, the parent or the local education agency may initiate due process hearing procedures when:

1. There is a proposal to initiate or change the identification, assessment, or

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educational placement of a pupil or the provisions of a free appropriate education.

2. There is a refusal to initiate or change any of the provisions enumerated in item number one.

3. A parent refuses to consent to the assessment of a pupil.

Procedures to implement the due process continuum shall provide for a continuum of dispute resolution options, including informal review, mediation conferences, and a hearing before a state hearing officer. Efforts to resolve any disputes shall include the offer of alternative dispute resolution means, including Solutions Panels, Facilitated IEP meetings, informal mediation or other.

C. Administrative Guidelines

1. The parent, pupil, or local education agency initiates a due process procedure by submitting a written request to the Special Education Hearing Office and at the same time providing the other party to the due process procedure a copy of the request.

2. Within three days of receipt of the request, the local education agency advises the parent of:

a. The availability of alternative dispute options, free and low cost legal services and other relevant services available in the geographic area.

b. The right to meet informally with the superintendent of the local education agency.

c. The right to a mediation conference and/or the right to waive a mediation conference.

d. The right to be represented by counsel.

e. The right to review and receive copies of all school records within five days upon receipt of a written or oral request.

f. The right to examine hearing evidence and list of proposed witnesses five days prior to the hearing.

g. The right of the pupil to remain in his or her present placement pending the decision of the hearing.

h. Written notice of the parents' rights in language easily understood by the general public and in the primary language or mode of communication of the parent unless it is clearly not feasible to do so.

i. The right to initiate a referral of a pupil for special education services.

j. The right to obtain an independent assessment at public expense.

k. The right to participate in the development of the IEP, be informed of the availability of a free appropriate education and all available alternatives, public and private.

l. Written parental consent of the parent must be obtained before a pupil receives special education services.

Description:

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m. Attorney fees may be recoverable under certain circumstances.

3. The superintendent of the local education agency or designee schedules an informal review within 10 days of receipt of the due process request.

4. The Special Education Hearing Office or designee shall notify both parties of the request for a hearing, and schedule a date for a mediation conference unless either party waives the right to a mediation conference or requests a continuance.

5. Either party to the mediation conference may request a continuance which may be granted for just cause by the Special Education Hearing Office. Any continuance shall not extend the 45-day limit for completion of the due process hearing and rendering a decision unless the party initiating the decision is agreeable to the extension.

6. If the informal review and/or mediation conference do not result in a resolution of issues, a hearing is conducted in accordance with Education Code §56505 and state regulation.

7. The use of an attorney by any party to a due process hearing is governed by Education Code §56507.

a. If either party to a due process hearing intends to be represented by an attorney in the state hearing, notice of that intent shall be given to the other party at least ten days prior to the hearing. The failure to provide that notice shall constitute good cause for a continuance.

b. An award of reasonable attorneys' fees to the prevailing parent, guardian, or pupil, as the case may be, may only be made either with the agreement of the parties following the conclusion of the administrative hearing process or by a court of competent jurisdiction pursuant to paragraph (3) of subsection (i) of Section 1415 of Title 20 of the United States Code.

c. Public education agencies shall not use federal funds distributed under Part B of the Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), or other federal special education funds, for the agency's own legal counsel or other advocacy costs, that may include, but are not limited to, a private attorney or employee of an attorney, legal paraprofessional, or other paid advocate, related to a due process hearing or the appeal of a hearing decision to the courts. Nor shall the funds be used to reimburse parents who prevail and are awarded attorneys' fees, pursuant to subdivision 7 (b) above, as part of the judgment. Nothing in this subdivision shall preclude public agencies from using these funds for attorney services related to the establishment of policy and programs, or responsibilities, under Part B of the Individuals with Disabilities Education Act 20 U.S.C. Sec. 1400 et seq.) and the program administration of these programs. This paragraph does not apply to attorneys and others hired under contract to conduct administrative hearings pursuant to Education Code §56505(a).

d. The hearing decision shall indicate the extent to which each party has prevailed on each issue heard and decided, including issues involving other public agencies named as parties to the hearing.

8. The local education agency may file a request for a due process hearing to establish the validity of a local agency assessment in lieu of paying the cost for an independent

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assessment obtained by the parent. Due process procedures of Education Code §56502 are followed for this procedure.

9. The Nevada County Special Education Local Plan Area (SELPA) has instituted an Alternative Dispute Resolution program, which is designed to provide an informal processes for resolving disputes and facilitating communication between parents and school districts.

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

Reference Number: Pg. 41 Locally Held Policies

Document Title: #118 Coordinated system of staff development and parent and guardian education

Document Location: NCSOS-SELPA 380 Crown Point Circle, Grass Valley, CA 95945
www.nevco.org

Description: Direct instructional support provided by program specialists:
The Program Coordinators provide direct staff support and coaching, staff development, and program development.
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.
Role of the SELPA Administrator:
The SELPA works cooperatively with Matrix Parent Network, a non-profit agency to provide parent and guardian education. The SELPA administrator will provide needed training and supports as requested, or determined appropriate, for each LEA.
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.

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

Reference Number: Pg. 42 Locally Held Policies

Document Title: #119 Coordinated system of curriculum development and alignment with the core curriculum

Document Location: NCSOS-SELPA 380 Crown Point Circle, Grass Valley, CA 95945
www.nevco.org

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Description:

Direct instructional support provided by program specialists:
Program Coordinators provide curricular resources for students with disabilities.
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.
Role of the SELPA Administrator:
The SELPA administrator will provide technical assistance and staff development, as requested or determined appropriate.
Role of the individual LEAs:
LEAs will determine their needs for curriculum development and alignment with the core curriculum, based on their local needs.

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

Reference Number:

Pg. 43 Locally Held Policies

Document Title:

#120 Coordinated system of internal program review, evaluation of the effectiveness of the local plan, and implementation of the local plan accountability system

Document Location:

NCSOS-SELPA 380 Crown Point Circle, Grass Valley, CA 95945
www.nevco.org

Description:

Direct instructional support provided by program specialists:
Program Coordinators provide assistance to LEAs with program review and consultation. Program Coordinators assist LEAs with state monitoring activities and development of improvement plans.
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.
Role of the SELPA Administrator:
The SELPA administrator:
a) ensures the COS receives annual input on the local plan from required stakeholders, including parents of the CAC, general and special education staff and administrators,
b) reports monthly to the COS in a public meeting, 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.

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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.

7. Coordinated system of data collection and management:

Reference Number: Pg. 44 Locally Held Policies

Document Title: #121 Coordinated System of Data Collection and Management

Document Location: NCSOS-SELPA 380 Crown Point Circle, Grass Valley, CA 95945
www.nevco.org

Description:

Direct instructional support provided by program specialists:
Program Coordinators review special education data to target professional development and provide technical assistance to local staff members.

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.

Role of the SELPA Administrator:

The SELPA administrator:

- a) approves the California Longitudinal Assessment and Pupil Data System (CALPADS) submission of each member LEA as required by the California Department of Education,
- b) provides technical assistance and training to LEAs,
- c) ensures timely collection of data for state reporting

Role of the individual LEAs:

The LEAs are responsible for data entry, quality and integrity. The LEAs approve the California Longitudinal Assessment and Pupil Data System (CALPADS) submission as required by the California Department of Education.

8. Coordination of interagency agreements:

Reference Number: Pg. 22 Local Plan

Document Title: Interagency Agreements

Document Location: NCSOS-SELPA 380 Crown Point Circle, Grass Valley, CA 95945
www.nevco.org

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Description:

Interagency Agreements:

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

- Nevada County Behavioral Health - Appendix A
- Alta California Regional Center – Appendix B
- NCSOS Infant Development Program/Placer Community Action Council-Early Head Start – Appendix C
- California Children Services – Appendix D

Other interagency agreements will be developed as needed. Copies of these documents can be requested through the SELPA office.

Responsibilities:

Direct instructional support provided by program specialists: Not applicable.

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.

Role of the SELPA Administrator:

The SELPA administrator annually reviews interagency agreements. Interagency agreements are renewed annually and posted on the SELPA website.

Role of the individual LEAs:

Through their representative to the Council of Superintendents, LEAs implement interagency agreements as appropriate.

9. Coordination of services to medical facilities:

Reference Number:

Pages 73-75 Locally Held Policies

Document Title:

#212 Educational Services For Individuals in Public Hospitals, Propriety Hospitals, and Other Residential Hospitals

Document Location:

NCSOS-SELPA 380 Crown Point Circle, Grass Valley, CA 95945
www.nevco.org

Services to Individuals With Disabilities in Alternative Settings

Educational Services For Individuals in Public Hospitals, Propriety Hospitals, and Other

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Description:

Residential Hospitals

- a. It is the responsibility of each Local Education Agency to assure that appropriate educational services are provided to special education pupils while confined to hospitals within the SELPA for extended periods of time. This is applicable only to those pupils found eligible for special education programs and services under the provisions of CAC Title 5 Section 3030. The IEP of the pupil must recommend the placement of students so placed and specify the program or services to be offered.
- b. Hospital placement may be applicable to pupils placed in a public hospital, state licensed children's hospital, psychiatric hospital, proprietary hospital, or other health facility as defined in Section 1250-1250.3 of the Health and Safety Code.
- c. It is the responsibility of the district of residence of pupils placed in any hospital as defined above to notify the district in which the hospital is located of the placement and cooperate with the district in the development of an appropriate IEP to be used during the time the pupil is confined to the hospital. It then becomes the responsibility of the district in which the hospital is located to provide the required programs or services as specified in the IEP.
- d. Programs or services provided to pupils while confined in a hospital setting may be delivered by a regular class teacher, special class teacher, resource specialist and appropriately credentialed Designated Instruction personnel.
- e. If a non-public, non-sectarian school is also operated by the hospital or other health facility and the pupil IEP designates this school to provide services for a pupil during confinement, the school district in which the parent of the pupil resides has the responsibility to assure that the required services are provided.

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

Reference Number:

Pages 108-110 Locally Held Policies

Document Title:

#309 Procedures for Licensed Children's Institutions (LCI)/ Nonpublic Schools (NPS) in the Nevada County SELPA

NCSOS-SELPA 380 Crown Point Circle, Grass Valley, CA 95945

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Document Location: www.nevco.org

309. Procedures for Licensed Children's Institutions (LCI)/ Nonpublic Schools (NPS) in the Nevada County SELPA

A. Rationale

Students placed in a Licensed Children's Institution (LCI) by an appropriate public agency for residential purposes and who are eligible for special education programs and services shall be provided services as specified in their IEP. The school district in which the LCI is located, in accordance with current law (Education Code 56156.5-56166.5) and the Nevada County Special Education Local Plan, are responsible for those Licensed Children's Institutions (LCI) pupils.

B. Policy Statement

Procedures have been identified in accordance with laws and regulations to establish and ensure services to children. These procedures identify three areas:

1. pupils placed at an LCI in the Nevada County SELPA with current IEPs;
2. pupils placed without IEPs; and
3. pupils placed by education.

C. Administrative Guidelines

1. Those special education teachers, speech therapists, adaptive physical education teachers, and other staff who serve the pupils enrolled in the Nonpublic School (NPS) program must be employed by the nonpublic school.
2. In accordance with current law and the Nevada County Special Education Local Plan, the school district in which the LCI is located is responsible for those LCI pupils who have been placed in a Licensed Children's Institution by an appropriate agency for residential purposes. (Education Code 56156.5 - 56166.5). For pupils in grades preK-8, the school district of residence will be the elementary or unified school district; and for pupils in grade 9 through graduation or age 22, the school district of residence will be the high school district. Pupil observations, evaluations, and progress reports conducted by the NPS staff should be considered in the annual IEP meetings held for each child. Psychological and formal academic assessments and other evaluations including speech and

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Description:

- language need to be conducted by the appropriate school district of residence. It will be the responsibility of the school district of residence where the LCI is located to ensure that three-year evaluations are also conducted.
3. The contract between the school district of residence where the LCI is located and an NPS cannot include a claim for any of the costs as specified in Education Code 56836.16 which includes the following:
 - a. Administrative or indirect costs for the local education agency.
 - b. Direct support costs for the local education agency.
 - c. Transportation costs provided either directly or through a nonpublic, nonsectarian school or agency master contract or individual services agreement for use of services or equipment owned, leased, or contracted by a district, special education local plan area, or county office for any pupils enrolled in nonpublic, nonsectarian school or agency pursuant to Education Code §56366(a) or (b).
 - d. Costs for services routinely provided by the district or county office (unless the board grants a waiver under Education Code §56101) including the following:
 - i. School psychologists services other than those described in Education Code §§56324 and 56363 and included in a master contract and individual services agreement under Education Code §56366(a).
 - ii. School nurse services other than those described in Education Code §§49423.5, 56324, and 56363 and included in a master contract and individual services agreement under Education Code §56366(a).
 - iii. Language, speech and hearing services other than those included in a master contract and individual services agreement under Education Code §56366(a).
 - iv. Modified, specialized, or adapted physical education services other than those included in a master contract and individual services agreement Education Code §56366(a).
 - v. Other services not specified by a pupil's individualized education program (IEP) or

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funded by the state on a caseload basis.

- e. Costs for non-special education programs or settings, including for pupils birth to 5 years.
- f. Costs for placements outside the state.
- g. Costs for related assessments by a school psychologist or school nurse.
- h. Costs for services that the NPS is not certified to provide.
- i. Costs for services provided by personnel who do not meet the requirements of Education Code Sec. 56366.1(l).
- j. Costs for services provided by public school employees.

4. Any waiver requests need to be completed by the NPS and forwarded to the the school district in which the LCI is located and the SELPA. There are two types of waivers which apply to services provided by state certified nonpublic schools. One relates to the use of substitute teachers. The other relates to the authority of the State Superintendent of Public Instruction to waive one or more of the requirements governing nonpublic nonsectarian school and agency services, as described by Education Code §56366.2, through a petition filed by a district, special education local plan area, county office of education, nonpublic nonsectarian school or agency, or licensed children's institution.

This petition is completed by the local education agency or nonpublic school or agency with reasons stated for the request. The petition must include sufficient documentation to demonstrate that:

- a. The waiver is necessary or beneficial to the content and implementation of the pupil's IEP;
- b. The waiver does not abrogate any rights provided to children with disabilities and their parents or guardians under state and federal law; and
- c. It does not hinder the compliance of the district, special education local plan area, or county office of education. (Education Code §56366.12)

5. This section addresses nonpublic schools that are both an LCI and a nonpublic school. The courts, probation department, and social services agency, etc. make the placements within the LCI; however, public school agencies, (i.e. the school district of residence in which the LCI is located), are the only agencies permitted to make special education placements in the nonpublic schools. This does not preclude the possibility that any public school agency within the state could enter into a separate agreement for both residential and school placement within the Mountain Valley Nonpublic School. For example, a school district within Nevada County could place a pupil at Mountain Valley and would be responsible for both residential and school costs unless it is a 3632 placement.

6. The school district of residence in which the LCI is located has the

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responsibility to obtain the signatures for the IEP.

7. If it is necessary to appoint a surrogate parent, this should be done in accordance with the Nevada County Special Education Local Plan Area Surrogate Parent Policy and Procedures. The training of these individuals is the responsibility of the SELPA.

8. The school district of residence in which the LCI is located has the responsibility for initial psychological, academic, speech and language assessments and other assessments and could contract for these services with the appropriate school district in which the LCI is located or with other qualified individuals in accordance with Education Code §56320.

9. NPS/LCI staff will be notified and encouraged to participate in SELPA sponsored training programs.

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

Reference Number: Pages 1-10 Local Plan

Document Title: Governance and Administration Structure

Document Location: NCSOS-SELPA 380 Crown Point Circle, Grass Valley, CA 95945
www.nevco.org

Description:

Direct instructional support provided by program specialists:

Not Applicable

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.

Role of the SELPA Administrator:

The SELPA administrator will ensure timely transmission of required reports and provide technical assistance to LEAs in completing those reports.

Role of the individual LEAs:

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

12. Fiscal and logistical support of the CAC:

Reference Number: Pg. 10 Local Plan

Document Title: Amendments to the Local Plan

Document Location: NCSOS-SELPA 380 Crown Point Circle, Grass Valley, CA 95945
www.nevco.org

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Description:

Amendments to the Local Plan

The SELPA Administrator shall be responsible for the coordination of the development of any proposed amendment to the local plan. Amendments to the permanent portion of the local plan may be considered at any time. The Council of Superintendents may adopt changes to the local plan on an interim basis, not to exceed one school year. To formally adopt any proposed and interim amendment, the following procedures shall be followed:

- A committee shall be convened to provide input and make recommendations regarding the proposed or interim amendment to the local plan.
- The CAC and other advisory groups, as determined appropriate by the SELPA Administrator Director, will review the recommended amendment to the local plan, as presented by the committee and provide additional input and revision, if needed.
- SEAC will review the recommended amendment, propose any revision, and submit a final draft to be reviewed by the Council of Superintendents for approval.
- The COS will review and approve the final draft amendment of the local plan and submit to the LEA governing boards for approval.
- LEA governing boards will review and take action on the recommended amendment to the local plan.
- Any amendments require the approval of each LEA governing board.
- Following the approval of all LEA governing boards, the SELPA Administrator will submit the Local Plan to the California Department of Special Education for submission to the State Board of Education.

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

Reference Number:

Pages 66-67 Locally Held Policies

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Document Title: #209 Transportation

Document Location: NCSOS-SELPA 380 Crown Point Circle, Grass Valley, CA 95945
www.nevco.org

209. Transportation

A. Rationale

As specified in the Code of Federal Regulations Section 300.14, transportation of disabled pupils is defined as a related service to be provided as "required to assist a child with a disability to benefit from special education" and includes "travel to and from school and between schools; travel in and around school buildings; and specialized equipment, if required, to provide special transportation for a child with a disability".

B. Policy Statement

When the disabling condition of a pupil is such that the pupil cannot benefit from the educational programs and services recommended by the IEP Team without appropriate transportation being provided, the IEP Team has the responsibility to include transportation services in the IEP as a related service. When the use of regular school transportation or public transportation is not feasible, special transportation shall be provided.

The responsibility for providing the special transportation shall be determined in accordance with provisions of the Nevada County SELPA Local Plan. Nothing in this policy is intended to prevent a local education agency (LEA) from contracting with another public or private agency to provide special transportation services or providing reimbursement to the parent in lieu of providing transportation.

The specific needs of the pupil must be the primary consideration when an IEP Team is determining any transportation needs. These may include, but are not limited to the following:

1. Medical diagnosis and health needs: Consideration of whether a long bus ride could affect the pupil's health; distance needed to walk or wheel oneself to the school; strength or ambulate/wheel; and necessary life supporting equipment needed for the pupil.
2. Physical accessibility: For pupils using wheelchairs who may live close to school or who use public transportation, consideration should be given to the physical accessibility of curbs, sidewalks, streets, and public transportation systems.
3. Pupil's capacity age: The IEP Team also needs to give consideration to a pupil's capacity to arrive at school on time, to avoid getting lost, his or her ability to avoid dangerous traffic situations, and any other potentially dangerous situation on the way to or from school.
4. If a Behavior Intervention Plan addresses transportation, it will describe how transportation services will be provided.

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Description:

5. Other transportation needs must also be taken into consideration when the IEP team discusses a pupil's placement and transportation needs.

C. Administrative Guidelines

1. Eligible pupils may be provided special transportation as follows:

- a. To and from home and the school of attendance
- b. Between schools for purposes specified in the IEP
- c. To and from work stations when identified in the IEP
- d. To and from assessment and IEP meetings when attendance of the pupil is appropriate
- e. To and from a California Children's Service Medical Therapy Unit, during the regular hours of the school day
- f. To and from a Mental Health service, during the regular hours of the school day

2. When extreme distances make it impractical to transport individual pupils from isolated areas, the LEA may elect to pay board and room for the pupil in a location in close proximity to the school of attendance. (Education Code §39807)

3. When parents are reimbursed in lieu of the LEA providing transportation, the rate of reimbursement will be that paid to district employees for travel. (Education Code §39807.5)

4. A significant change of placement may take place when pupils receiving special education services are suspended from bus transportation if the district: 1) has been transporting the pupil; 2) suspends the pupil from transportation as a disciplinary measure; and 3) does not provide another mode of transportation. (Office of Civil Rights, Letter of Finding Complaint No. 04-89-1236, December 8, 1989). A significant change in placement requires a meeting of the IEP Team to review the pupil's IEP. During the period of suspension from bus transportation, pupils must be assured of accessing the required special education instruction and services.

5. When the governing board of any school district provides for the transportation of pupils to and from school in accordance with the provisions of Education Code §39800, the governing board of the district may require the parents of all or some of the pupils transported to pay a portion of the cost of such transportation in an amount determined by the governing board. The governing board shall exempt from these charges pupils of parents and guardians who are indigent as set forth in rules and regulations adopted by the Board. Under this section, no charge shall be made for the specialized transportation of disabled children. Nothing in this section shall be construed to sanction, perpetuate, or promote the racial or ethnic segregation of pupils in the schools.

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

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Reference Number: Pages 152-153 Locally Held Policies

Document Title: Coordination of career and vocational education and transition services

Document Location: NCSOS-SELPA 380 Crown Point Circle, Grass Valley, CA 95945
www.nevco.org

Description:

Direct instructional support provided by program specialists:
Program Coordinators support staff through trainings and reviewing referrals for students transitioning to postsecondary programs.
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.
Role of the SELPA Administrator:
The SELPA administrator will provide technical assistance and staff development as needed.
Role of the individual LEAs:
Each LEA will provide appropriate career and vocational education and transition services as required under state and federal law.

9. Vocational Education and Career Education and Transition

The Individualized Education Program (IEP) Team will identify career and vocational activities as appropriate to the individual needs of pupils. ALL 14 YEAR OLD PUPILS WILL HAVE TRANSITION PLANS THAT INCLUDE PUPIL PERFORMANCE STANDARDS. Such activities should be planned in a manner to provide exposure to a variety of experiences which will permit pupils to progress.

Options within the SELPA to complete this transition include but are not limited to the following:

- a. Workability - is a special education vocational program for secondary age pupils. This program gives special education pupils work experience while still enrolled in high schools or other educational settings. Placement Specialists are employed by school districts to assist pupils with on-the-job training. Services may include: assessment, career guidance, job search skills training, job coaching, mobility training, and literacy training.
- b. Regional Occupational Programs (ROP) - is a regular education program operating on high school campuses and other locations within the communities.
- c. Work Experience Programs - is a regular education program operating on high school campuses. Opportunities for vocational training are available within community settings, school settings, public and private agencies. Work experience might include clerical, landscape and gardening, custodial, pupil care, and instructional aides activities.

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- d. Regular Industrial Arts Program - offered on individual high school campuses.
- e. Department of Rehabilitation (DR) - provides employment services to people of all ages who have physical, mental, or emotional disabilities. Services include vocational assessment, counseling and guidance, medical exams, employment training, and placement assistance.
- f. Providers of Supported Employment - Supported employment services are available to Regional Center clients who are able to work a minimum of 20 hours per week. Intensive job development, job placement, job coaching, and follow-along services are provided. PRIDE and ARC currently are vendorized providers.
- g. Adult Schools - public LEAs provide competency-based instruction in such areas as GED preparation, basic academic skills, ESL, and independent living skills. These schools primarily serve adults; however, high school pupils may attend.
- h. Golden Sierra Job Training Agency (GSJTA) is the Service Delivery Area for the Job Training Partnership Act for Nevada County. Its Summer Youth Employment Program places special education pupils on work experience sites in public and private non-profit agencies. GSJTA also provides job-specific skills training, on-the-job training, and literacy services.
- i. Community Colleges - provide a variety of academic and vocational courses. Each college has a Learning Disabilities Program (which has different eligibility criteria than K-12, and services for orthopedically disabled pupils). Sierra College has a program for SH pupils.

15. Assurance of full educational opportunity:

Reference Number: Pg. 11 Local Plan

Document Title: Local Assurances

Document Location: NCSOS-SELPA 380 Crown Point Circle, Grass Valley, CA 95945
www.nevco.org

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 coordinated system of identification and assessment.
- A coordinated system of procedural safeguards.
- A coordinated system of staff development and parent education.
- A coordinated system of curriculum development and alignment with the core curriculum.

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Description:

- A coordinated system of internal program review, evaluation and effectiveness of the local plan.
- Implementation of a local plan accountability mechanism.
- A coordinated system of data collection and management.
- A coordinated system of alternative dispute resolution processes.
- Coordination of inter-agency agreements.
- Coordination of services to medical facilities.
- Coordination of services to licensed children's institutions and foster homes.
- Preparation and transmission of required SELPA reports.
- Fiscal and logistical support of the CAC.
- Coordination of career, vocational and transition services.
- Coordination of transportation services for individuals with exceptional needs.
- Means by which full educational opportunity is ensured.
- Fiscal administration and the allocation of state and federal funds.

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

Reference Number: Pg. 14 Locally Held Policies

Document Title: #104 Income Distribution Agreement

Document Location: NCSOS-SELPA 380 Crown Point Circle, Grass Valley, CA 95945
www.nevco.org

Description:

An income distribution agreement has been adopted by the SELPA and shall be reviewed and revised on a regular schedule. The model distributes all funds pursuant to applicable state and federal regulations. LEAs and the Nevada County Office of Education 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 that of the prior year (Maintenance of Effort), in compliance with state and federal mandates. The agreement is located in the Nevada County SELPA Procedural Manual.

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

Reference Number: Pages 56-57 Locally Held Policies

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Document Title: #205 Designated Instruction and Services/Related Services

Document Location: NCSOS-SELPA 380 Crown Point Circle, Grass Valley, CA 95945
www.nevco.org

Designated Instruction and Services/Related Services (See Policy #205)

Designated instruction and services as specified in IEPs shall be available when the instruction and services are necessary for the pupil to benefit educationally from his or her instructional program. The instruction and services shall be provided by the regular class teacher or the special education teacher if the teacher is competent to provide the instruction and services and if such provision is feasible. If not, the appropriate DIS specialist shall provide the service (E.C. 56363(a)).

No pupil will be assigned to receive designated instruction and services unless the provisions for assessment and the development of an Individualized Education Program have been followed.

Classified personnel may be employed to provide designated instruction and services (e.g., occupational therapists, transcribers, braillists, etc.).

Teacher aides and/or speech pathology assistants may be utilized to assist designated instruction personnel, or to provide services under their direction when such service is deemed to be appropriate and necessary. The selection of teacher aides to provide services will reflect the necessary skill and knowledge required for the task. Teacher aides providing designated instruction and services will receive inservice training from appropriate DIS specialists.

Designated instruction and services are available and will be provided in accordance with the Individualized Education Programs of pupils. Services may include, but are not limited to:

Description:

- 1.) Language and speech development and remediation
- 2.) Audiological services
- 3.) Orientation and mobility instruction
- 4.) Instruction in the home or hospital
- 5.) Adapted physical education
- 6.) Physical and occupational therapy
- 7.) Vision services
- 8.) Specialized driver training instruction
- 9.) Counseling and guidance
- 10.) Psychological services other than assessment and development of the IEP
- 11.) Parent counseling and training
- 12.) Health and nursing services
- 13.) Social worker services
- 14.) Specially designed vocational education and career development
- 15.) Recreation services
- 16.) Specialized services for low-incidence disabilities, such as readers, transcribers and vision and hearing

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services.
(Ed. Code 56363 (b))

The average caseload for language, speech and hearing specialists in the SELPA shall not exceed 55 cases.

LEA may contract with other public or private agencies to provide designated instruction services when necessary. A Non Public Agency(NPA) contract shall be developed and the contract shall specify the following:

- 1.) The contracting parties.
- 2.) Services to be provided.
- 3.) Cost of services.
- 4.) Payment provisions.
- 5.) Timelines for providing services.

Each LEA shall describe, in its annual service plan, the designated instruction services to be provided.

Special Education Local Plan Area Services

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

Reference Number:

Early Interv. Pages 50-51 Preschool Services pg 54-55 Locally Held Policies

Document Title:

#202 Local Plan for Early Intervention Services (E.C. Section 56429 and Government Code Sections 95000-95303) 204. Preschool Services

Document Location:

NCSOS-SELPA 380 Crown Point Circle, Grass Valley, CA 95945
www.nevco.org

Birth to 3

A. The Nevada County Special Education Local Plan Area (SELPA) will provide early intervention services for infants and toddlers identified as eligible for special education services from birth to 36 months of age. The Nevada County Infant Program provides services for infants in accordance with the provisions and guidelines of California's Early Start Program. The providers of these services will be the Nevada County Office of Education.

B. A collaborative effort will continue with all agencies in Nevada County to ensure services to infants and their families. The following public agencies within Nevada County have and will continue to provide services:

Alta California Regional Center Early Head Start

Nevada County Childrens System of Care California Children's Services

Agency involvement is a major component of the Infant Programs. Ongoing agency

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participation and involvement is essential to the Infant Programs and participating families.

C. The major goals and objectives of the Nevada County Infant Program are:

1. To inform parents, agencies and the communities that special education services are available for identified and eligible infants from birth to 36 months.
2. To coordinate the referral and assessment components with the appropriate agencies.
3. To provide a educational program for infants and their families to best meet their individual and family needs, based on the family's concerns, priorities and resources and assessment information. The delivery of services will be provided whenever possible in the "natural environment" which may include a combination of home, community settings, day care, preschools, and community center based programs.
4. To incorporate parent and family education and involvement as an integral part of he total comprehensive program.
5. To ensure that procedures for identification, assessment, instruction, planning, implementation, and review will be followed in accordance with the Memorandum of Understanding between Alta California Regional Center, Early HeadStart, and the Nevada County Special Education Local Plan Area.

D. Infant Programs in Nevada County shall be staffed using a transdisciplinary team approach. Membership on the teams shall consist of an Early Childhood Special Educator, speech and language therapist, nurse, psychologists and others when appropriate. The team will be used in assessment, program planning, the Individual Family Service Plan (IFSP) Process, and IFSP implementation and review.

Transdisciplinary teams shall involve the crossing of disciplinary boundaries and the sharing of expertise and knowledge.

E. Special agency teams have been established and utilized in Nevada County to assist families and agencies in exploring alternative services, coordination of services and program options.

The benefits of a multi agency team are:

1. A team approach saves time and energy and provides families with information and support.
2. Parents are able to meet with all agency representatives who may be involved with the infant.
3. Provides an opportunity to explore all resources and options with the family and all team members.
4. Agencies are more effective when working with all participants and encourages creative problem solving techniques.
5. The team is able to decide the nature and the level of involvement.

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Description:

6. Services available will focus on the infant as an individual within the family.

F. An Interagency Agreement with Alta California Regional Center for Part C of IDEA has been developed, and will be reviewed annually.

G. Preservice and Inservice training and education will be provided to assure early intervention providers the necessary skills in working with other agencies and families. Staff development will be conducted on an interdisciplinary basis to the extent appropriate and will address the training needs of all staffs, including public/private providers. Training will include, but is not limited to, the following areas:

1. Interagency and family/professional collaboration
2. Coordination of transition services from infant to preschool programs and services
3. Basic components and requirements of California's Early Intervention Services Act
4. Strategies to enhance the development and implementation of IFSPs
5. Other topics identified from local needs assessment

Parent support and education will continue to be a primary focus on both a formal and informal basis. Parents and families will have an opportunity to participate in family education training provided by a variety of agencies, the Warmline, LEAs, and the Local Plan Area. Parent education and training is also described in Nevada County Local Plan.

Preschool Services

A. The Nevada County Special Education Local Plan Area (SELPA) will provide education preschool services for children identified as eligible for special education from three years through five years of age. These services will be provided by school districts and the county office of education and will be available to all eligible preschool children within the SELPA. The services will be designed to support a standards-based preschool curriculum. Any person making a referral for special education assessment will contact the school district of residence who will arrange to screen students and/or institute the referral process.

B. Special education programs and services for children between the ages of three and five years of age will include opportunities for active parent participation and involvement and may include the following:

1. Parent education and training
2. Parent participation in their child's education program
3. Agency awareness
4. Direct services to children

C. School districts and the county office operate a continuum of service options for preschool age students and to the extent possible provide services to assure equal access to all services and programs available to nondisabled children. Appropriate settings may include:

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1. A public school setting which provides an age appropriate environment, materials and services. As the preschool child approaches the age to enter an elementary school environment, the child's preparation shall be geared toward a readiness for kindergarten and later school success.
 2. Head Start programs
 3. Programs located within a community setting
 4. The child's natural environment which may include the home
 5. Regular public or private nonsectarian preschool programs
 6. A special education preschool program with children who are not disabled attending and participating for all or part of the program.
 7. A special site where preschool programs for both children with disabilities and children who are not disabled are located close to each other and have an opportunity to share resources and programming.
 8. A special class, school or site for children with disabilities.
- D. School districts and the county office may provide preschool services by any of the following methods:
1. Directly by a school district and/or county office;
 2. Through an interagency agreement between and LEA and another public agency;
 3. A contract with another public agency pursuant to EC Section 56369;
 4. Through a contract with a certified nonpublic school, or nonpublic, nonsectarian agency pursuant to Section 56366
- E. A Transdisciplinary Team approach shall be provided and shall include appropriate personnel. Transdisciplinary teams shall involve the crossing of disciplinary boundaries, sharing skills and expertise, and shall incorporate an appropriate range of approaches in working with children and families. The teams will be utilized in assessment, program planning, and IEPs implementation and review.
- F. Transition services will be a major focus for preschool children transitioning to Kindergarten, first grade, or any other educational programs. The major goals of preschool transition services within the Nevada County Local Plan Area are:
1. Support successful transition in the child's education program and learning;
 2. Ensure continuation of appropriate support provided to families;
 3. Provide support and information to the receiving programs;
 4. Support children and families experiencing change.
- G. Local education agencies need to be knowledgeable of sending and receiving program services, policies, and procedures in order to assure an appropriate transition. Transition planning also needs to focus on providing information and support to families in order to address their concerns, priorities and resources. A

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transition timeline needs to be established no later than between four and six months prior to the transition actually occurring. As children become ready to transition to another preschool program, kindergarten, or to first grade, an assessment needs to be completed to prepare the IEP Team to determine the child's needs.

1. An appropriate assessment of the child with disabilities shall be completed. A transition IEP meeting for each child will be conducted to determine if the child is in need of special education and services. At this transition meeting, an individual from the school/district will be designated to follow the child's educational progress.

2. Appropriate staff needs to be included in the meeting in order to promote an effective transition for the child, the family, school, and the community.

3. If the child is going to exit from special education services, the general education staff will be notified.

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

Reference Number: Pg. 22 Local Plan

Document Title: Public Addressing the Governing Body

Document Location: NCSOS-SELPA 380 Crown Point Circle, Grass Valley, CA 95945
www.nevco.org

Description: 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 Council of Superintendents, the Executive Committee of the Council of Superintendents, the Program/Business Review Committee, the Special Education Administrators Committee, and/or the Community Advisory Committee.

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

Reference Number: Pg. 22 LP

Document Title: Dispute Resolution

Document Location: NCSOS-SELPA 380 Crown Point Circle, Grass Valley, CA 95945
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Description:

Dispute Resolution

In the event of a disagreement between LEAs, LEAs and the RLA, LEAs and/or the RLA and the SELPA regarding the distribution of funding, responsibility for service provision or any other governance activities specified in the local plan, the dispute resolution process included in the Nevada County SELPA Procedural Manual will be followed. This procedure is intended to resolve disagreements within a period of forty-five days without undermining local authority.

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

Reference Number:

Pages 124-128 Appendix 1 Locally Held Policies

Document Title:

Procedures- Identification and Referral

Document Location:

NCSOS-SELPA 380 Crown Point Circle, Grass Valley, CA 95945
www.nevco.org

B. Procedures

1. Identification and Referral

a. In an effort to provide complete educational services to all children with disabilities, an active "Child Find," is operational in the Local Plan Area. The SELPA Administrator coordinates Child Find efforts. Every effort will be made to provide information to the general public, and to public and private agencies, about the availability of special education programs and services throughout the Local Plan Area.

b. Specific efforts are made to inform pediatricians, hospital neo-natal intensive care units, Head Start programs and operators of private pre-school licensed by state or local agencies of the availability of programs providing intensive special education services for pupils ranging in age from 0 to 2 years 11 months.

c. Each Local Education Agency (LEA) Special Education Administrator/designee will establish a process within his/her Local Education Agency to reach parent groups, staff assessment teams, site administrators and any neighborhood media, or communicators which are not likely to be approached by any other Local Education Agency or Special Education Administrator.

The SELPA will contact media, groups, and agencies which overlap districts in the county, and which are mainly focused within the Special Education Local Plan Area.

d. Referrals of pupils who may be in need of special education services will be actively solicited from teachers, parents, agencies, appropriate professional persons, and from community members. Efforts are ongoing to identify pupils who are not yet in school,

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pupils enrolled in school, and pupils who have left school prior to age 21.

e. Identification procedures will be coordinated with LEA's school site procedures for referral of pupils with needs that cannot be met with modification of the regular instructional program.

f. For pupils not yet in school, a process has been in effect to inform the communities throughout the Local Plan Area of special education services that may be available. Various means of communication are utilized for this community awareness process. Newspapers, television and public notices may be used. Information is also disseminated at meetings of interested groups. Pupils not in school and referred through the community awareness effort will be referred to the appropriate Local Agency for screening. The Local Agency will determine whether assessment and instructional planning is necessary.

g. For pupils enrolled in school, ongoing inservice training is provided for both general and special education personnel to identify pupils who may be eligible for special education services. Teachers will receive appropriate training regarding learning styles of pupils and variables which may affect the least restrictive environment.

h. Pupil/Child Success Teams. Such teams are utilized throughout the SELPA as a function of general education. In this context they are of value to special education and serve to:

- 1.) Identify pupils whose progress in school appears to be limited by unknown factors;
- 2.) Provide assurances that appropriate general classroom interventions have been tried without success prior to referral for special education services.

Pupil/Child Success Teams may be the vehicle used in the implementation of Section 504 of the Rehabilitation Act of 1973 by providing interventions and implementing modifications appropriate to meet the educational needs of pupils who may be deemed eligible as disabled under Section 504.

i. The Special Education Administrators Committee has developed the process which shall be followed by districts to screen pupils for eligibility in special education programs at the elementary and secondary levels. It is the responsibility of the special education administrator/designee of each district to ensure:

- 1.) That placement practices are consistent throughout the district.
- 2.) That all referrals for special education services are handled in accordance with the referral, assessment and placement procedures described in the law.
- 3.) That all appropriate resources of the regular education program have been considered, and where appropriate, utilized, prior to recommending special education services.

j. The SELPA Administrator shall have primary responsibility for developing and implementing uniform screening procedures throughout the Local Plan Area. The district special education administrator/designee shall be responsible for implementing Local Education Agency screening procedures in the district. The SELPA Administrator and the Special Education Administrators Committee have developed

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the screening procedures to be used whenever a pupil is referred for assessment. The responsibility of directing that assessment will rest with the Local Education Agency director. Consideration shall be given to assure that all procedural safeguards are adhered to throughout the screening and assessment process. School personnel who suspect that a pupil may have a disability will refer those pupils to the appropriate Local Educational Agency's Special Education Administrator/designee at any time throughout each year. At the beginning of each school year, each Local Education Agency administrator/designee will send written directions to all staff and others who are in a position to identify unserved pupils with disabilities, reminding them of their responsibility in this regard, and the need for early referrals which will permit the identification and assessment process to be completed in a timely manner.

1.) District Responsibilities

Each LEA will:

- a.) Develop and adopt a written referral system which is consistent with laws and regulations identifies responsibilities of various district personnel.
- b.) Provide each site administrator with a copy of the referral system along with the name of a district level person who can assist him/her with referrals.
- c.) Contact local media, service clubs, local offices or agencies, local pupil's services and doctor's offices, district PTA's, etc. Cooperate with neighboring Local Educational Agencies in this regard.
- d.) Provide orientation for site administrators alerting them to expect contacts from citizens concerning unserved and inadequately served pupils and to their expected role when responding to such contacts.
- e.) Maintain an ongoing communications effort with local parent groups, advisory committees, and staff to ensure their having pertinent search information at all times.
- f.) Maintain a list of the groups and persons contacted. This list will be routinely reviewed with the SELPA to assure completeness and avoid duplication of effort.

2.) SELPA Responsibilities

The SELPA will:

- a.) Provide each Local Education Agency with current information and materials received by the SELPA.
- b.) Provide information to and contact with organizations which serve large portions of the Local Plan Area, and who in the normal course of their duties would expect to come in contact with pupils with disabilities on how to proceed with a referral. Social Service agencies, Juvenile Courts, hospitals, Regional Centers, associations serving the disabled, etc., are examples of such agencies.
- c.) Identify through reporting requirements pupil with disabilities in order to remain eligible to receive federal funds. Each year the Special Education Administrators Committee will review and, if necessary, modify this search plan.

3.) Each year the Special Education Administrators Committee will review and, if

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necessary, modify the search plan.

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

Reference Number: Pages 108-110 Locally Held Policies

Document Title: #309 Procedures for Licensed Children's Institutions (LCI)/ Nonpublic Schools (NPS) in the Nevada County SELPA

Document Location: NCSOS-SELPA 380 Crown Point Circle, Grass Valley, CA 95945
www.nevco.org

A. Rationale

Students placed in a Licensed Children's Institution (LCI) by an appropriate public agency for residential purposes and who are eligible for special education programs and services shall be provided services as specified in their IEP. The school district in which the LCI is located, in accordance with current law (Education Code 56156.5-56166.5) and the Nevada County Special Education Local Plan, are responsible for those Licensed Children's Institutions (LCI) pupils.

B. Policy Statement

Procedures have been identified in accordance with laws and regulations to establish and ensure services to children. These procedures identify three areas:

1. pupils placed at an LCI in the Nevada County SELPA with current IEPs;
2. pupils placed without IEPs; and
3. pupils placed by education.

C. Administrative Guidelines

1. Those special education teachers, speech therapists, adaptive physical education teachers, and other staff who serve the pupils enrolled in the Nonpublic School (NPS) program must be employed by the nonpublic school.
2. In accordance with current law and the Nevada County Special Education Local Plan, the school district in which the LCI is located is responsible for those LCI pupils who have been placed in a Licensed Children's Institution by an appropriate agency for residential purposes. (Education Code 56156.5 - 56166.5). For pupils in grades preK-8, the school district of residence will be the elementary or unified school district; and for pupils in grade 9 through graduation or age 22, the school district of residence will be the high school district. Pupil observations, evaluations, and progress reports conducted by the NPS staff should be considered in the annual IEP meetings held for each child. Psychological and formal academic assessments and

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other evaluations including speech and language need to be conducted by the appropriate school district of residence. It will be the responsibility of the school district of residence where the LCI is located to ensure that three-year evaluations are also conducted.

3. The contract between the school district of residence where the LCI is located and an NPS cannot include a claim for any of the costs as specified in Education Code 56836.16 which includes the following:

- a. Administrative or indirect costs for the local education agency.
- b. Direct support costs for the local education agency.
- c. Transportation costs provided either directly or through a nonpublic, nonsectarian school or agency master contract or individual services agreement for use of services or equipment owned, leased, or contracted by a district, special education local plan area, or county office for any pupils enrolled in nonpublic, nonsectarian school or agency pursuant to Education Code §56366(a) or (b).
- d. Costs for services routinely provided by the district or county office (unless the board grants a waiver under Education Code §56101) including the following:
 - i. School psychologists services other than those described in Education Code §§56324 and 56363 and included in a master contract and individual services agreement under Education Code §56366(a).
 - ii. School nurse services other than those described in Education Code §§49423.5, 56324, and 56363 and included in a master contract and individual services agreement under Education Code §56366(a).
 - iii. Language, speech and hearing services other than those included in a master contract and individual services agreement under Education Code §56366(a).
 - iv. Modified, specialized, or adapted physical education services other than those included in a master contract and individual services agreement Education Code §56366(a).
 - v. Other services not specified by a pupil's individualized education program (IEP) or funded by the state on a caseload basis.
- e. Costs for non-special education programs or settings, including for pupils birth to 5 years.
- f. Costs for placements outside the state.
- g. Costs for related assessments by a school psychologist or school nurse.
- h. Costs for services that the NPS is not certified to provide.
- i. Costs for services provided by personnel who do not meet the requirements of Education Code Sec. 56366.1(l).
- j. Costs for services provided by public school employees.

4. Any waiver requests need to be completed by the NPS and forwarded to the the

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school district in which the LCI is located and the SELPA. There are two types of waivers which apply to services provided by state certified nonpublic schools. One relates to the use of substitute teachers. The other relates to the authority of the State Superintendent of Public Instruction to waive one or more of the requirements governing nonpublic nonsectarian school and agency services, as described by Education Code §56366.2, through a petition filed by a district, special education local plan area, county office of education, nonpublic nonsectarian school or agency, or licensed children's institution.

This petition is completed by the local education agency or nonpublic school or agency with reasons stated for the request. The petition must include sufficient documentation to demonstrate that:

- a. The waiver is necessary or beneficial to the content and implementation of the pupil's IEP;
 - b. The waiver does not abrogate any rights provided to children with disabilities and their parents or guardians under state and federal law; and
 - c. It does not hinder the compliance of the district, special education local plan area, or county office of education. (Education Code §56366.12)
5. This section addresses nonpublic schools that are both an LCI and a nonpublic school. The courts, probation department, and social services agency, etc. make the placements within the LCI; however, public school agencies, (i.e. the school district of residence in which the LCI is located), are the only agencies permitted to make special education placements in the nonpublic schools. This does not preclude the possibility that any public school agency within the state could enter into a separate agreement for both residential and school placement within the Milhous Nonpublic School. For example, a school district within Nevada County could place a pupil at Milhous and would be responsible for both residential and school costs unless it is a 3632 placement.
6. The school district of residence in which the LCI is located has the responsibility to obtain the signatures for the IEP.
7. If it is necessary to appoint a surrogate parent, this should be done in accordance with the Nevada County Special Education Local Plan Area Surrogate Parent Policy and Procedures. The training of these individuals is the responsibility of the SELPA.
8. The school district of residence in which the LCI is located has the responsibility for initial psychological, academic, speech and language assessments and other assessments and could contract for these services with the appropriate school district in which the LCI is located or with other qualified individuals in accordance with Education Code §56320.
9. NPS/LCI staff will be notified and encouraged to participate in SELPA sponsored training programs.

6. A description of the process by which the SELPA will fulfill the obligations to provide free and appropriate public education (FAPE) to a student age 18 to 21 (or age 22 under the circumstances

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described in *EC 56026(c)(4)*) who has been incarcerated in a county jail and remains eligible for special education services:

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

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

Reference Number:

Pg.76 Locally Held Policies

Document Title:

212.k Services to Individuals with Disabilities in Alternative Settings: Special Education Services Provided in Juvenile Hall, Juvenile Home, Daycare, Ranch and/or Camp and/or County Jail settings.
EC Sections 56040 56041 & 56150

Document Location:

NCSOS-SELPA 380 Crown Point Circle, Grass Valley, CA 95945
www.nevco.org

Description:

The County office or school districts designated as providers of special education services for all individuals with exceptional needs while confined in any of the above correctional facilities have the responsibility to:

- 1) Continue to implement the IEP of pupils previously identified for special education during their confinement; and
- 2) Develop and implement an IEP for pupils, who during confinement, are identified as being in need of special education services; and
- 3) Inform the district to which the pupil returns, after confinement, of the pupil's special education status, and send a copy of the current IEP. The receiving district has the obligation to place the pupil in an appropriate program and continue to implement the IEP.

*****Proposed added language for county jail:

Enrollment and Intake Procedures:

Students who were found eligible for special education services prior to incarceration in the Nevada County Detention Center, shall be identified by the Nevada County Sheriff, the adult student or the adult student's appointed representative. Upon referral from the Nevada County Sheriff, the Nevada County SELPA shall ensure the provision of special education services for inmates who remain eligible for such

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

Responsible Agency:

It shall be the responsibility of the district of residence to provide services to the identified individual in the Nevada County Detention Center, or the NCOE, on behalf of the responsible district, may provide services at the Nevada County Detention Center. If the Nevada Co. SELPA is not the responsible SELPA for an inmate identified by the Sheriff, the Nevada Co. SELPA shall make every effort to identify and contact the responsible district/SELPA.