

Adopted: June 3rd, 2019

Local Plan for Special Education



Nevada County Superintendent of Schools

Scott W. Lay – County Superintendent of
Schools

Bitney Prep High School

Chicago Park School District

Clear Creek School District

Forest Charter School

Grass Valley School District

Nevada City School District

Nevada City School of the
Arts

Nevada County
Superintendent of Schools

Nevada Joint Union High
School District

Penn Valley School District

Pleasant Ridge School
District

Twin Ridges Home Study
Charter

Twin Ridges School District

Union Hill School District

Yuba River Charter School

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Nevada County SELPA Participating Local Plan Development Committees

Council of Superintendents:

James Berardi, Rusty Clark, Dave Curry, Trisha Dellis, Torie England, Eric Fredrickson, Marshall Goldberg, Scott Lay, Brett McFadden, Dan Zeisler

Special Education Administrators Committee:

Brynn Bourke, Erika Clawson, RoJean Cossairt, Joy Davis, Marshall Goldberg, Abby Hedenland, Janet Horowitz, Sean Manchester, Aurora Thompson, Holly Zimmerman, Teresa Zoellin

Special Education Parent Advisory Committee:

Morgan Best, Kathy Brian, Beth Buti, Sandi Hedenland, Carrie Lyman, Michael Lyman, Beth Kemplin, Martha Payne, Karen Parch, Cathy Ruscica , Andrea Shively

Nevada County SELPA Special Education Local Plan

Nevada County SELPA Participating Local Educational Agencies

The local educational agencies (LEAs) participating in the Nevada County Special Education Local Plan Area (SELPA) are all located or partially located in Nevada County. The Nevada County SELPA Member Districts are:

- [Chicago Park School District](#)
- [Clear Creek School District](#)
- [Grass Valley School District](#)
- [Nevada City School District](#)
- [Nevada Joint Union High School District](#)
- [Penn Valley Union Elementary School District](#)
- [Pleasant Ridge Union School District](#)
- [Twin Ridges School District](#)
- [Union Hill School District](#)
- [Nevada County Superintendent of Schools](#)
- [Nevada County Superintendent of Schools](#)
- [Bitney Prep High School](#)
- [Forest Charter School](#)
- [Twin Ridges Home Study](#)
- [Yuba River Charter School](#)
- [Nevada City School of the Arts](#)

Governance and Administrative Structure

The Nevada County SELPA is composed of the fifteen 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. 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.

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 (*Special Education Parent Advisory Committee-SEPAC*).

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.

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.

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.
- 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 Office of

Education 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 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 Local Plan, including any regionalized services/programs.
- Act as liaison with parents, community resources, Community Advisory Committee members (locally known as SEPAC), 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)

(In the Nevada County SELPA, called the Special Education Parent Advisory Committee- SEPAC). 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 SEPAC Handbook.

Parents comprise a majority of the membership of the Special Education Parent Advisory Committee (SEPAC) 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.
- 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.

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 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.

SELPA Administrator

The SELPA Administrator will coordinate the operation of all special education services of the SELPA pursuant to law and will administer those functions delegated to the SELPA pursuant to the Local Plan adopted by the Council of Superintendents. The SELPA Administrator serves under the direction of the Superintendent of the RLA and assumes responsibility for duties delegated by the Council of Superintendents or the Superintendent of the RLA.

Responsibilities of the SELPA Administrator

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.
- 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 CASEMIS/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.

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 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.

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.

Changes in the Governance Structure or Membership

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

- Any local agency which is currently designated as a Local Education Agency (LEA) participating in the Nevada County Local Plan for Special Education may elect to pursue an alternative option by notifying the appropriate county superintendent(s) at least one year prior to the date the alternative plan would become effective.
- Should a Local Education Agency consider terminating membership in the Nevada County SELPA, notification of such consideration must be submitted in writing to the SELPA by July 1st of the preceding year. When that Local Education Agency has decided to terminate membership in the SELPA, it shall submit a written notice to exit the SELPA by September 1st prior to the July 1st date of change.
- Any alternative plan of an LEA is subject to the approval of the county superintendent of the county or counties which would have school districts as participating agencies in the alternative plan.
- Approval of a proposed alternative plan by the appropriate county superintendent(s) must be based on the capacity of the district(s) to ensure that special education programs and services are provided to all children with disabilities.
- If an alternative plan is disapproved by a county superintendent, the County office shall return the plan with comments and recommendations to the district(s) within forty-five days. The district or districts participating in the alternative plan may appeal the decision to the Superintendent of Public Instruction.
- Any alternative plan to be submitted by a district or a group of districts currently participating in the Nevada County Local Plan must meet the standards established by the State Board of Education and not adversely affect the size and scope status of the current local plan geographic area.
- Any changes in the designation of the Responsible Local Agency for the Nevada County Local Plan must conform to the above code provisions and the administrative provisions for approval as specified in the Local Plan.

Disagreements among the participating agencies of the Nevada County Local Plan which cannot be resolved within the standard operating procedures specified in the Local Plan will be referred to the Council of Superintendents for a decision. If the Council is unable to resolve the matter, a final decision will be made by the RLA Superintendent.

Should an established Local Education Agency consider initiating membership in the Nevada County SELPA, notification of such a request must be submitted in writing to the SELPA by July 1st

of the preceding year. When that Local Education Agency has decided to request membership in the Nevada County SELPA, it shall receive a written response from the SELPA by September 1st prior to the July 1st date of change.

Regionalized Services and Program Specialists

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.
- 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.

Program Specialists

Program Specialists are employed through the RLA and serve the SELPA under the direction of the SELPA Administrator. The SELPA Administrator evaluates the Program Specialists annually.

Each Program Specialist must possess a valid special education credential, clinical services credential, health services credential, or pupil services credential with a school psychology authorization. Program Specialists shall have advanced training and related experiences in the education of individuals with disabilities and a specialized in-depth knowledge in one or more areas of disabling conditions. A Program Specialist may do the following:

- Observe, consult, and assist special and general education staff and administrators in the planning and implementation of Individualized Education Programs (IEP) for students with disabilities.
- Coordinate curricular resources in a manner to make them available and effective for personnel who are in need of resources.
- In conjunction with the Special Education Administrators Committee and the SELPA Administrator, assess program effectiveness to support the program for individuals with exceptional needs.
- Participate in school staff development, research, program development, and innovation of special methods and approaches.
- Provide coordination, consultation, and program development in areas to which the Program Specialist is assigned.
- Under the direction of the SELPA Administrator, assure that pupils have full educational opportunity, regardless of the District of Residence that is responsible for the student in the Special Education Local Plan Area.
- Ongoing review of special education programs and procedures in the SELPA, and mechanisms for correcting any identified problems. Such review and procedures will be in accordance with any state level procedures, but may include local interventions starting at the most direct level of intervention, e.g., district support to the classroom teacher who needs it, or training and instruction in the identified problem area.
- Assist Local Education Agencies with non-public, non-sectarian, and state school placements.

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 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.CSOS 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.
- 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 Special Education Management Information Systems (CASEMIS) and/or California Longitudinal Pupil Achievement Data System (CALPADS) reports and compliance reviews.

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.

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.

Federal Assurances

Free Appropriate Public Education 20 United States Code (USC) Section (§) 1412 (A)(1)

It shall be the policy of this local educational agency (LEA) that a free and appropriate public education is available to all children residing in the LEA between the ages of three through twenty-one inclusive, including students with disabilities who have been suspended or expelled from school.

Full Educational Opportunity 20 USC § 1412 (A)(2)

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

Child Find 20 USC § 1412 (A)(3)

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 attending private schools, regardless of the severity of their disabilities, and who are in need of special education and related services are identified, located and evaluated. A practical method is developed and implemented to determine which students with disabilities are currently receiving

needed special education and related services.

Individualized Education Program and Individualized Family Service Plan 20 USC § 1412 (A)(4)

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

Least Restrictive Environment 20 USC § 1412 (A)(5)

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

Procedural Safeguards 20 USC § 1412 (A)(6)

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

Evaluation 20 USC § 1412 (A)(7)

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

Confidentiality 20 USC § 1412 (A)(8)

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

Part C, Transition 20 USC § 1412 (A)(9)

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

Private Schools 20 USC § 1412 (A)(10)

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.

Local Compliance Assurances 20 USC § 1412 (A)(11)

It shall be the policy of this LEA that the local plan shall be adopted by the appropriate local board(s) (district/county) and is the basis for the operation and administration of special education programs; and that the agency(ies) herein represented will meet all applicable

requirements of state and federal laws and regulations, including compliance with the Individuals with Disabilities Education Act (IDEA), the Federal Rehabilitation Act of 1973, Section 504 of Public Law, and the provisions of the California Education Code, Part 30.

Interagency 20 USC § 1412 (A)(12)

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 and appropriate public education (FAPE) are provided, including the continuation of services during an interagency dispute resolution process.

Governance 20 USC § 1412 (A)(13)

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 Educational Agency.

Personnel Qualifications 20 USC § 1412 (A)(14)

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

Performance Goals and Indicators 20 USC § 1412 (A)(15)

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.

Participation in Assessments 20 USC § 1412 (A)(16)

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

Supplementation of State/Federal Funds 20 USC § 1412 (A)(17)

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

Maintenance of Effort 20 USC § 1412 (A)(18)

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 law and regulations.

Public Participation 20 USC § 1412 (A)(19)

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

Rule of Construction 20 USC § 1412 (A)(20)

(Federal requirement for State Education Agency only.)

State Advisory Panel 20 USC § 1412 (A)(21)

(Federal requirement for State Education Agency only.)

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

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.

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

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.

Overidentification and Disproportionality 20 USC § 1412 (A)(24)

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

Prohibition on Mandatory Medicine 20 USC § 1412 (A)(25)

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.

Distribution of Funds 20 USC § 1411(E),(F)(1-3)

(Federal requirement for State Education Agency only.)

Data 20 USC § 1418 (A-D)

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

Reading Literacy (State Board Requirement, 2/99)

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

Charter Schools (EC 56207.5 (A-C))

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

Additional Elements of the Local Plan

Income Distribution Agreement and Maintenance of Effort

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.

Annual Budget Plan

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

Annual Service Plan

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

Programs for Early Childhood Special Education

A collaborative effort will continue with all agencies in Nevada County to ensure services to infants and their families. The collaborative will be among Alta California Regional Center, Early Head Start, Nevada County Children's System of Care, California Children's Services, Health and Human Services, Community Health Nursing, and Warmline Family Resource Center. For a listing of programs for early childhood special education programs and services for children aged three through five years of age, see the Annual Service Plan.

Oversight of Nonpublic School Placements

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

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

Utilization of General Education Resources

Each LEA shall ensure that a pupil is referred for special educational instruction and services only after the resources of the general education program have been considered and utilized, where appropriate. Such

resources may include, but not be limited to, response to intervention models, student success teams, early literacy programs, and remedial programs.

Reading Criteria

Each LEA shall ensure that all eligible children with disabilities will participate in the California Reading Initiative in order to improve their educational results. Special education instructional personnel will participate in staff development in-service opportunities in the area of literacy that includes:

- Information about current literacy and learning research.
- State adopted standards and frameworks.
- Increased participation of students with disabilities in statewide student assessments.
- Research-based instructional strategies for teaching reading to a wide range of diverse learners in order to increase the percentage of children with disabilities who are literate.

Access to Core Curriculum

Each LEA shall ensure that students with disabilities will have access to:

- All required core curriculum including state adopted core curriculum and supplementary materials.
- Instructional materials and support.

Low Incidence Funds

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

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.

Policies, Procedures, and Local Agreements

SELPA policies, procedures, and local agreements necessary to support the implementation of the local plan, and as required by legal mandates, have been developed and are available upon request through the SELPA.

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:

- NCSOS Infant Development Program/Placer Community Action Council-Early Head Start
- Alta California Regional Center – Part C
- Alta California Regional Center – Part B

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

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.

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.

Legal References

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

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

**Exhibit A – Memorandum of Understanding (MOU) between Nevada County Behavioral Health
NCSOS and SELPA**

A copy of the MOU between Nevada County Behavioral Health NCSOS /NCSOS and Nevada County SELPA is on file in the SELPA office and is included in the Local Plan submission to CDE.

Exhibit B – MOU between Alta California Regional Center (Part B) and SELPA

A copy of the MOU between Alta California Regional Center (Part B) and Nevada County SELPA is on file in the SELPA office and is included in the Local Plan submission to CDE.

Exhibit C – MOU between Placer Community Action Council (KidzKount) and SELPA

A copy of the MOU between Placer Community Action Council (KidzKount) and Nevada County SELPA is on file in the SELPA office and is included in the Local Plan submission to CDE.

Exhibit D – MOU between California Children Services and SELPA

A copy of the MOU between California Children Services and Nevada County SELPA is on file in the SELPA office and is included in the Local Plan submission to CDE.

Exhibit E – LEA Assurances and Board Minutes

The LEA Assurances and Board Minutes resolution adopted by the board of each member LEA is on file in the SELPA office and is included in the Local Plan submission to CDE.

Exhibit F – Certifications

SED-LP-1

SED-LP-2