



SELPA Superintendents' Council

MEETING AGENDA

May 6, 2020

9:00 a.m.

Virtual Meeting Via Zoom - Web Link (copy and paste into browser):
<https://edcoe.zoom.us/j/97025142215?pwd=aFEzSDRzWG90RThlR3FWamd0bmNSdz09>
Dial-in Option: 1-669-900-6833, Meeting ID: 970-2514-2215

ANNOUNCEMENTS:

- A. EXECUTIVE ORDER N-29-20 TELECONFERENCE FLEXIBILITY
This meeting is being held pursuant to the procedures established in Executive Order N-29-20 issued by California Governor Gavin Newsom on March 17, 2020. All council members may attend the meeting by teleconference. This meeting will be a virtual meeting only. The public may observe and address the meeting via Zoom.
- B. PUBLIC ACCESS TO THE SELPA SUPERINTENDENTS' COUNCIL MEETING
The public will have access to the SELPA Superintendents' Council meeting through Zoom Teleconferencing. There are two options for those individuals who wish to make a public comment. 1.) During the meeting, comments can be sent through the Zoom meeting chat feature, or 2.) Prior to, or during the meeting, comments may be sent to khall@edcoe.org. A moderator for the meeting will read your comments for the record.
- C. ANNOUNCEMENT: Should this meeting encounter any security breach or inappropriate issues, the meeting will be ended immediately and rescheduled as soon as practical.

General Items

- 1. **Approval of Agenda**
- 2. **Public Hearing**
(Individuals may address Board items not on the agenda - limited to 2 minutes)

Action Items

- 3. **Approval of February 11, 2020 Meeting Minutes***

Discussion Items

- 4. **Policy Revisions**
 - a) EDCOE Policy/AR Revision Summary/Cover Sheet – 2019/20*
 - b) Revised Policies/ARs Presented for First Read*
- 5. **Allocation Plan Review Committee Update**
- 6. **Local Plan Status Update**
- 7. **Fiscal Update**
- 8. **Adjournment**

*Handouts
Page one of two

Notices:

In compliance with the Americans with Disabilities Act, for those requiring special assistance to access public meeting rooms or to otherwise participate at a public meeting conducted by the El Dorado County Office of Education, please contact Kathy Daniels at 530-295-2205, kdaniels@edcoe.org at least 48 hours in advance of the meeting you wish to attend so that every reasonable effort to accommodate you, including requests for auxiliary aids or services, can be made. Meeting documents are provided online at <http://edcoe.org/educational-services/selpa-special-education-local-plan-area/selpa-superintendents-council>. If you require documents being discussed at a public meeting be made accessible, please contact Kathleen Hall, 530-295-2236, khall@edcoe.org at least 48 hours in advance of the meeting. EDCOE strives to provide a fragrance free work environment. For the comfort of all participants, attendees are requested to refrain from using perfume, cologne and other fragrances.





SELPA Superintendents' Council Meeting Minutes – UNADOPTED MINUTES

February 11, 2020

EDCOE – Conference Room B/2

In attendance: Ed Manansala, Kevin Monsma, David Toston, Cheryl Olson, David Roth, Eric Bonniksen, Jeremy Meyers, Margaret Enns, Matt Smith, Natalie Miller, Pat Atkins, Scott Lyons, Ron Carruth, and guests: Robert Steponovich, SELPA Business Services Director; Becca Kaldunski, EDCOE, Kirstin Comstock, SELPA Program Coordinator and Kathleen Hall, Recording Secretary.

Meeting called to order at 1:05 pm by David M. Toston, Associate Superintendent, El Dorado County SELPA/ Charter SELPA.

General Items

1. Superintendent Ron Carruth moved to approve agenda with the adjustment of moving the two action items, Items 3 and 4, to the end of the agenda; second by Superintendent Eric Bonniksen; motion carries.
2. A Public Hearing was opened at 1:06 pm and, with no comment, closed at 1:07 pm.

Discussion Items

3. Local Plan Review*

Associate Superintendent Toston reported that SELPA is currently reviewing our Local Plan and completing the CDE-required template, which is due July 1st, 2020. CDE now requires the Local Plan be reviewed and potentially revised every three years. A redline version of the updated Local Plan will be presented for review in May 2020.

4. Policy Revisions

a) EDCOE Policy/AR Revision Summary/Cover Sheet – 2019/20*

Associate Superintendent Toston updated members on the policy revision process. Additional policies/ARs were presented today for a first read, the remaining revised policies/ARs will be presented at the March meeting and then all will be presented for public review. All revised policies and ARs will be presented together for adoption in June, 2020.

b) Revised Policies/ARs Presented for First Read*

Revised policies and administrative regulations presented for a first read were included in a packet which included red-line versions and draft revisions.

c) Policy/AR 9 – Input sought on Governance Policy/AR 9*

Policy/AR 9 describes the governance of the SELPA. SELPA sought input from the Superintendents on potential revisions to Policy/AR 9 to update governance and meeting structure descriptions to align them with Ed Code and current practice. It was agreed to identify the steering committee as a program level advisory body to the SELPA leadership, which will help inform the work of the SELPA. This program advisory body will now be identified as the SELPA Professional Learning Community (PLC). It was further agreed to identify the Executive Committee as a policy level advisory body to the SELPA leadership, rather than the SELPA Supts. Council. The consensus with the Superintendents was to revise the language to adopt a one vote per LEA model.

5. Allocation Plan/Regional Program Review Status

a) Committee Members/Meeting Dates*

Included was a document that contained the Allocation Plan Review Committee meeting dates and committee members.

6. Governor's Budget Update

Bob Steponovich, SELPA Business Director, shared high points of the Governor's budget on special education funding.

7. SELPA Leadership Report

a) SELPA Superintendents' Council – Remaining Meetings for 2019/20

An additional May 6, 2020 SELPA Superintendents' Council Meeting is required and will be scheduled.

Action Items

8. **(Original Agenda Item 3)** Superintendent of Schools Ed Manansala moved to approve the minutes of the October 8, 2019 SELPA Superintendents' Council meeting; second by Superintendent Matt Smith; motion carries.

9. **(Original Agenda Item 4) Regional Program Needs***

EDCOE's Special Services Department presented a request for three regional program needs to help address the increase in autism and high school referrals and placements. The request included three separate recommendations/action items, which were considered in the following order:

Recommendation #3: Eric Bonnikesen made a motion to approve Recommendation #3: To move the Gold Oak Elementary Regional Program Class to the available Camino Winnie Wakeley room so that class sizes can be equalized to assist with capacity issues. Pat Atkins seconded and all approved. Motion carried.

Recommendation #1: Eric Bonnikesen made a motion to postpone consideration of Recommendation #1: To consider the fourth high school class as a growth request and open a new classroom in the 2020-21 school year; identify a new site and notify parents of classroom changes in a timely manner. The motion to postpone was seconded by Scott Lyons. The motion to postpone was not approved – Four members in favor, five members opposed. The motion to postpone consideration of Recommendation #1 failed.

After further discussion, a second motion to approve Recommendation #1 was made by Cheryl Olson and seconded by Ron Carruth. All members approved this motion and the motion carried.

Recommendation #2: Jeremy Meyers made a motion to approve Recommendation #2: To consider the fifth autism class as a growth request. Open a new classroom for the 2020-21 school year and identify a new site and notify parents in a timely manner. After discussion, the motion was revised to include developing guidelines for determining a range of classroom size caps rather than a hard single number size cap. These guidelines will be established at the June, 2020 meeting. Matt Smith seconded and all approved. Motion carried.



SELPA will work with regional program providers to provide additional enrollment data as requested by the Superintendents.

10. **Adjournment** The meeting was adjourned at 2:48 p.m. upon motion by Superintendent Carruth; second by Superintendent Olson; motion carries.

*Handouts presented at the meeting



EDCOE Policy/AR Revision Summary/Cover Sheet - 2019/20

Key	Policies and ARs initially presented for first read in September 2019. Revisions made and presented again in February 2020
	Policies and ARs presented for first read in February, 2020
	Policies and ARs presented for first read in September, 2019
	Policies and ARs to be presented for first read in May, 2020, for review in 2020/21, or Policies and ARs that have previously been revised

Policy #	AR #	Name	Status	Clerical or Grammatical Changes	Material Changes to align with Ed Code or content	Comments on Changes	Proposed Date for Second Read/Adoption
1		Comprehensive Local Plan for Special Education	First Read in May 2020		X	Added clarifying language and Ed Code citations	6/4/2020
	1	Comprehensive Local Plan for Special Education	First Read in May 2020		X	Added clarifying language and Ed Code citations	6/4/2020
2		Identification and Evaluation of Individuals for Special Education	First Read September 2019 Second first read February 2020		X	Added language "It shall be the policy of each member 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."	6/4/2020
	2	Identification and Evaluation of Individuals for Special Education	First Read September 2019 Second first read February 2020	X	X	Added language around DINC, removed a paragraph that was in the document two times (redundant information).	6/4/2020

Policy #	AR #	Name	Status	Clerical or Grammatical Changes	Material Changes to align with Ed Code or content	Comments on Changes	Proposed Date for Second Read/Adoption
3		Individualized Education Program	First Read September 2019 Second first read February 2020		X	Added language, "It shall be the policy of member districts the El Dorado County SELPA, that an IEP, or an IFSP that meets the requirements of 20 USC § 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 § 1414 (d). It shall be the policy of this LEA that a of an IEP will be conducted on at least an annual basis to review a student's progress and make appropriate revisions."	6/4/2020
	3	Individualized Education Program	First Read September 2019 Second first read February 2020	X	X	Language changes around administrator/designee, LEA vs. district, correctly credentialed staff, audiotaping to audio recording.	6/4/2020
4		Procedural Safeguards	First Read September 2019 Second first read February 2020		X	Added language "It shall be the policy of each member LEA that children with disabilities and their parents shall be afforded all procedural safeguards according to state and federal laws and regulations"	6/4/2020
	4	Procedural Safeguards	First Read September 2019 Second first read February 2020	X	X	Changed language from "attorneys may not attend" to "it is recommended that attorneys not attend"	6/4/2020
5		Confidentiality of Student Records	First Read September 2019 Second first read February 2020	X	X	Added language "It shall be the policy of member LEAs that the confidentiality of personally identifiable data, information, and records maintained by the LEA relating to children with disabilities and their parents and families shall be protected pursuant to the Family Educational Rights and Privacy Act, non-academic programs, and services available to non-disabled children.""	6/4/2020
	5	Confidentiality of Student Records	First Read September 2019	X	X	Added language around FERPA.	6/4/2020
6		Part C - Transition	Ready for First Read February 2020		X		6/4/2020
	6	Part C - Transition	Ready for First Read February 2020		X	New language	6/4/2020
7		Students with Disabilities Enrolled by their Parents in Private School	Ready for First Read February 2020		X	Language changed to add "proportionate funds" Split policy from AR	6/4/2020

Policy #	AR #	Name	Status	Clerical or Grammatical Changes	Material Changes to align with Ed Code or content	Comments on Changes	Proposed Date for Second Read/Adoption
	7	Students with Disabilities Enrolled by their Parents in Private School	Ready for First Read February 2020	X	X	Added the word "Facility" AR split from policy	6/4/2020
8		Compliance Assurances	Ready for First Read February 2020		X	Added "Federal Rehabilitation Act"	6/4/2020
	8	Compliance Assurances	Ready for First Read February 2020	X	X	CalPads replaced CASEMIS Added CDE and Instensive review	6/4/2020
9		Governance	First Read in May 2020	X		Clerical Edit	6/4/2020
	9	Governance	First Read in May 2020		X	Revised to reflect governing practices	6/4/2020
10		Personnel Qualifications	First Read September 2019 Second first read February 2020		X	Added language, "It shall be the policy of member LEAs 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."	6/4/2020
	10	Personnel Qualifications	First Read September 2019 Second first read February 2020		X	Changed language around Resource Specialists to Education Specialists, changed director criteria. Removed Ed code around resource specialists.	6/4/2020
11	n/a	Performance Goals and Indicators	First Read September 2019	X			6/4/2020
12		Participation in Assessments	First Read September 2019	X			6/4/2020
	12	Participation in Assessments	First Read September 2019	X			6/4/2020
13	n/a	Supplementation of State, Local and Other Federal Funds	First Read September 2019	X			6/4/2020
14		Maintenance of Effort	Ready for First Read February 2020		X		6/4/2020

Policy #	AR #	Name	Status	Clerical or Grammatical Changes	Material Changes to align with Ed Code or content	Comments on Changes	Proposed Date for Second Read/Adoption
	14	Maintenance of Effort	Ready for First Read February 2020		X		6/4/2020
15		Public Participation	Revised and approved 6/2019				N/A
16		Suspension/Expulsion	First Read September 2019	X	X		6/4/2020
	16	Suspension/Expulsion	First Read September 2019 second read February 2020		X	Added the word 'cumulative' where appropriate.	6/4/2020
17	n/a	Access to Instructional Materials	First Read September 2019	X			6/4/2020
18	n/a	Overidentificaion and Disproportionality	First Read September 2019	X			6/4/2020
19	n/a	Prohibition on Mandatory Medicine	First Read September 2019	X			6/4/2020
20	n/a	Data	First Read September 2019	X			6/4/2020
21	n/a	Reading Literacy	First Read September 2019	X			6/4/2020
22		Provision of Special Education Services to Students Voluntarily Enrolled in Charter Schools in the El Dorado County SELPA	Will be updated in 2020-2021				n/a
	22	Provision of Special Education Services to Students Voluntarily Enrolled in Charter Schools in the El Dorado County SELPA	Will be updated in 2020-2021				n/a
23	23	Behavioral Interventions for Special Education Students	Revised and approved in Spring, 2019				n/a
24	24	Nonpublic, Nonsectarian School and Agency Services for Special Education	Revised and approved in Spring, 2019				n/a



EL DORADO
COUNTYSELPA
Special Education Local Plan Area

SELPA Policy and Administrative Regulation Revisions Presented at May 6, 2020 SELPA Superintendents' Council Meeting

El Dorado County Office of Education
Dr. Ed Manansala, County Superintendent of Schools
David M. Toston, Associate Superintendent - SELPA

EDCOE Policy and Administrative Regulation (AR) Revisions presented at the
May 6, 2020 SELPA Superintendents’ Council Meeting

Policy 1	Comprehensive Plan for Special Education	
	Revised/Clean Version	3
	Redline Version	5
AR 1:	Comprehensive Plan for Special Education	
	Revised/Clean Version	8
	Redline Version	11
Policy 9:	Governance	
	Revised/Clean Version	15
	Redline Version	16
AR 9:	Governance	
	Revised/Clean Version	17
	Redline Version	20

COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION

The El Dorado County SELPA desires to provide a free and appropriate public education (FAPE) to all school aged K-12 individuals with disabilities, who are enrolled in the member districts, including children who have been suspended or expelled or placed by the member districts in a nonpublic school or agency services.

The governing board for each school district and the County Board of Education each approved the “Agreement for Participation” and the “Local Plan for Special Education.” Pursuant to these documents, the governing boards of each member district delegated the administrative policy-making process and procedures for carrying out that responsibility to the governance structure of the SELPA

Students shall be referred for special education instruction and services only after the resources of the regular education program have been considered, and where appropriate, utilized. (Ed. Code § 56303.)

In order to meet the needs of individuals with disabilities and employ staff with adequate expertise for this purpose, each district within the County shall participate as a member of the El Dorado County Special Education Local Plan Area (SELPA), with the exception of the Lake Tahoe Unified School District which shall, for purposes of special education, participate as a member of the Tahoe-Alpine SELPA..

The superintendent or designee of each member district shall extend each member district’s full cooperation to the SELPA. The policies and procedures of the SELPA shall be applied as policies and regulations to all member districts. Per the Local Plan, the El Dorado County SELPA Executive Committee considers the recommendations from the SELPA Steering Committee for the establishment of any policies and procedures.

The El Dorado County SELPA shall administer the Local Plan for Special Education and the allocation of special education funds. (Ed. Code §§ 56195, 56205, 56836.)

Legal Reference:

EDUCATION CODE

- 56000-56001 Education for individuals with exceptional needs
- 56020-56035 Definitions
- 56040-56046 General provisions
- 56048-56050 Surrogate parents
- 56055 Foster parents
- 56060-56063 Substitute teachers
- 56170-56177 Children enrolled in private schools
- 56190-56194 Community advisory committees
- 56195-56195.10 Local plans

56205-56208 Local plan requirements
56213 Special education local plan areas with small or sparse populations
56240-56245 Staff development
56300-56385 Identification and referral, assessment, instructional planning, implementation, and review
56440-56449 Programs for individuals between the ages of three and five years
56500-56508 Procedural safeguards, including due process rights
56520-56524 Behavioral interventions
56600-56606 Evaluation, audits and information
56836-56836.05 Administration of local plan
GOVERNMENT CODE
95000-95029 California Early Intervention Services Act

CODE OF REGULATIONS, TITLE 5
3000-3089 Regulations governing special education

UNITED STATES CODE, TITLE 20
1400-1485 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29
794 Rehabilitation Act of 1973, Section 504

UNITED STATES CODE, TITLE 42
12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 34
99.10-99.22 Inspection, review and procedures for amending education records
104.1-104.39 Section 504 of the Rehabilitation Act of 1973
300.500-300.514 Due process procedures for parents and children
303.1-303.654 Early intervention program for infants and toddlers with disabilities

Management Resources:

WEB SITES
CDE, Special Education Division: <http://www.cde.ca.gov/spbranch/sed>
U.S. Department of Education, Office of Special Education Programs:
<http://www.ed.gov/offices/OSERS/OSEP>

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The El Dorado County SELPA special education local plan area shall administer the a Local Plan for Special Education and ~~administer~~ the allocation of special education funds. (Education Code §§ 56195, 56205, 56836.)

Legal Reference:

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- 56000-56001 Education for individuals with exceptional needs
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3000-3089 Regulations governing special education

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COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION

Definitions

Free and appropriate public education (FAPE) means special education and related services that are provided at public expense, under public supervision and direction, and without charge; meet the standards of the California Department of Education including the requirements of sections 34 CFR 300.1 through 300.818; include appropriate services for school-aged children K through 12; and are provided in conformity with the student's individualized education program (IEP) that meets the requirement of sections 34 CFR 300.320 through 300.324. (34 CFR §§300.17, 300.101, 300.104.)

The right to FAPE extends to students who are suspended or expelled or placed by the district in nonpublic school or agency services. (34 CFR §§ 300.101, 300.104.)

Full educational opportunities means that students with disabilities have the right to full educational opportunities to meet their unique needs, including access to a variety of educational programs and services available to non-disabled students. The State must have in effect policies and procedures to demonstrate that the State has established a goal of providing full educational opportunity to all children with disabilities, aged birth through 21, and a detailed timetable for accomplishing that goal. (34 CFR § 300.109.)

Least restrictive environment means that to an appropriate extent, students with disabilities, including children in public or private institutions, shall be educated with children who are not disabled, including in nonacademic and extracurricular services and activities. (34 CFR §§ 300.107, 300.114, 300.117.)

Special education means specially designed instruction, at no cost to the parent/guardians, to meet the unique needs of individuals with disabilities, whose educational needs cannot be met with modification of the regular instruction program. It also includes related services, provided at no cost to the parent/guardian that may be needed to assist these individuals to benefit from specially designed instruction. Special education provides a full continuum of program options, including instruction conducted in the classroom, in the home, in hospitals and institutions, and in other settings; and instruction in physical education, to meet the educational and service needs of individuals with exceptional needs in the least restrictive environment. (Ed. Code § 56031.)

Specially designed instruction means adapting, as appropriate to the needs of an eligible child, the content, methodology or delivery of instruction to address the unique needs of the student that result from the student's disability and to ensure access of the student to the general curriculum, so that the student can meet the educational standards within the district that apply to all students. (34 CFR § 300.39 (b)(3).)

Surrogate parent means an individual assigned by a public agency to act as a surrogate for the parents/guardians. The surrogate may represent an individual with exceptional needs in matters relating to identification, assessment, instructional planning and development, educational

placement, reviewing and revising the IEP, and in other matters relating to the provision of FAPE to the individual with a disability. (34 CFR § 300.519; Ed. Code § 56050.)

Note: Pursuant to Government Code, section 7579.5, when a student is a ward of the court, the district would appoint a surrogate parent only when the court has limited the right of the parent/guardian to make educational decisions for his/her child and the student has no responsible adult, such as a foster parent, to represent him or her. Since Welfare and Institutions Code, sections 361 and 726 require the juvenile court to appoint a responsible adult when the court limits parental rights, it will rarely be necessary for the district to appoint a surrogate parent because that appointment would be superseded by the court's appointment of a responsible adult or foster parent.

Elements of the Local Plan

Note: Education Code, section 56205 details the elements that must be included in the local plan, including a requirement that the plan contain assurances of general compliance with Section 504 of the Rehabilitation Act of 1973 (29 USC § 794), the Individuals with Disabilities Education Act (20 USC §§ 1400-1485), and the Americans with Disabilities Act (42 USC §§ 12101-12213).

The special education local plan shall include, but not be limited to the following:

1. Assurances that policies, procedures and programs, consistent with state law, regulation, and policy, are in effect as specified in Education Code, section 56205 (a)(1) through (22) and in conformity with 20 USC § 1412(a) and 20 USC § 1413(a)(1). (Ed. Code § 56205.)
2. An annual budget plan and annual service plan adopted at a public hearing held by the special education local plan area. (Ed. Code § 56205 (b).)
3. A description of the process being utilized to oversee and evaluate placements in nonpublic, nonsectarian schools and the method for ensuring that all requirements of each student's IEP are being met. (Ed. Code § 56205(c).)
4. A description of how specialized equipment and services will be distributed within the local plan area in a manner that minimizes the necessity to serve students in isolated sites and maximizes the opportunities to serve students in the least restrictive environment. (Ed. Code § 56206.)
5. A description of a dispute resolution process. (Ed. Code 56205 (b)(6).)
6. Verification that the plan has been reviewed by the community advisory committee in accordance with Education Code, section 56205 (b)(7). (Ed. Code § 56205 (b)(7).)
7. A description of the process being utilized to refer students for special education instruction pursuant to Education Code, section 56303. (Ed. Code § 56205 (b)(8).)

The local plan, annual budget plan and annual service plan shall be written in language that is understandable to the general public. (Ed. Code § 56205 (d).)

Each special education local plan area shall develop written agreements to be entered into by entities participating in the plan. (Ed. Code § 56195.7)

Each entity providing special education shall adopt policies for the programs and services it operates, consistent with agreements adopted pursuant to Education Code, sections 56195.1 and 56195.7. (Ed. Code § 56195.8)

COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION

Definitions

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The right to FAPE extends to students who are suspended or expelled or placed by the district in nonpublic school or agency services. (34 CFR §§ 300.101, 300.104.)

Full educational opportunities means that students with disabilities have the right to full educational opportunities to meet their unique needs, including access to a variety of educational programs and services available to non-disabled students. The State must have in effect policies and procedures to demonstrate that the State has established a goal of providing full educational opportunity to all children with disabilities, aged birth through 21, and a detailed timetable for accomplishing that goal. (34 CFR § 300.109.)

Least restrictive environment means that to an appropriate extent, students with disabilities, including children in public or private institutions, shall be educated with children who are not disabled, including in nonacademic and extracurricular services and activities. (34 CFR §§ 300.107, 300.114, 300.117.)

Special education means specially designed instruction, at no cost to the parent/guardians, to meet the unique needs of individuals with disabilities, whose educational needs cannot be met with modification of the regular instruction program. It also includes related services, provided at no cost to the parent/guardian that may be needed to assist these individuals to benefit from specially designed instruction. Special education provides a full continuum of program options, including instruction conducted in the classroom, in the home, in hospitals and institutions, and in other settings; and instruction in physical education, to meet the educational and service needs of individuals with exceptional needs in the least restrictive environment. (Education Code § 56031.)

Specially designed instruction means adapting, as appropriate to the needs of an eligible child, the content, methodology or delivery of instruction to address the unique needs of the student that result from the student's disability and to ensure access of the student to the general curriculum, so that the student can meet the educational standards within the district that apply to all students. (34 CFR § 300.39 (b)(3).)

Surrogate parent means an individual assigned by a public agency to act as a surrogate for the parents/guardians. The surrogate may represent an individual with exceptional needs in matters

relating to identification, assessment, instructional planning and development, educational placement, reviewing and revising the IEP, and in other matters relating to the provision of FAPE to the individual with a disability. (34 CFR § 300.519; Ed. ~~ueation~~ Code § 56050.)

Note: Pursuant to Government Code, section 7579.5, when a student is a ward of the court, the district would appoint a surrogate parent only when the court has limited the right of the parent/guardian to make educational decisions for his/her child and the student has no responsible adult, such as a foster parent, to represent him or her. Since Welfare and Institutions Code, sections 361 and 726 require the juvenile court to appoint a responsible adult when the court limits parental rights, it will rarely be necessary for the district to appoint a surrogate parent because that appointment would be superseded by the court's appointment of a responsible adult or foster parent.

Elements of the Local Plan

Note: Education Code, section 56205 details the elements that must be included in the local plan, including a requirement that the plan contain assurances of general compliance with Section 504 of the Rehabilitation Act of 1973 (29 USC § 794), the Individuals with Disabilities Education Act (20 USC §§ 1400-1485), and the Americans with Disabilities Act (42 USC §§ 12101-12213).

The special education local plan shall include, but not be limited to the following:

1. Assurances that policies, procedures and programs, consistent with state law, regulation, and policy, are in effect as specified in Education Code, section 56205 (a)(1) through (22) and in conformity with 20 USC § 1412(a) and 20 USC § 1413(a)(1). (Ed. ~~ueation~~ Code § 56205.)
2. An annual budget plan and annual service plan adopted at a public hearing held by the special education local plan area. (~~Education Code~~ Ed. Code § 56205 (b).)
3. A description of the process being utilized to oversee and evaluate placements in nonpublic, nonsectarian schools and the method for ensuring that all requirements of each student's IEP are being met. (~~Education Code~~ Ed. Code § 56205(c).)
4. A description of how specialized equipment and services will be distributed within the local plan area in a manner that minimizes the necessity to serve students in isolated sites and maximizes the opportunities to serve students in the least restrictive environment. (~~Education~~ Ed. Code § 56206.)
5. A description of a dispute resolution process. (Ed. ~~ueation~~ Code 56205 (b)(6).)
6. Verification that the plan has been reviewed by the community advisory committee in accordance with Education Code, section 56205 (b)(7). (Ed. ~~ueation~~ Code § 56205 (b)(7).)
7. A description of the process being utilized to refer students for special education instruction pursuant to Education Code, section 56303. (Ed. ~~ueation~~ Code § 56205 (b)(8).)

The local plan, annual budget plan and annual service plan shall be written in language that is understandable to the general public. (Education Code § 56205 (d).)

Each special education local plan area shall develop written agreements to be entered into by ~~districts~~ entities participating in the plan. (Education Code § 56195.7)

Each entity providing special education shall adopt policies for the programs and services it operates, consistent with agreements adopted pursuant to Education Code, sections 56195.1 and 56195.7. (Education Code § 56195.8)

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GOVERNANCE

It shall be the policy of each member district in the El Dorado County SELPA to support and comply with the provisions of the governance structure and any necessary administrative support to implement the Local Plan.

Legal References:

EDUCATION CODE

56205(a)(12)
56001
56190-4
56195.1(b)(c)
56195.3
56205(b)(4)
56205(b)(5)
47640-47647
56195.7
56030
56200
56200(c)(2)
56140
56195
56140(b)(2)

UNITED STATES CODE, TITLE 20

1412(a)
1413(a)(1)
1413(a)(5)

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47640-47647
56195.7
56030
56200
56200(c)(2)
56140
56195
56140(b)(2)

UNITED STATES CODE, TITLE 20

1412(a)
1413(a)(1)
1413(a)(5)

GOVERNANCE

GOVERNANCE AND ADMINISTRATIVE STRUCTURE

The El Dorado County SELPA is a multi-district SELPA comprised of fourteen local education agencies and the El Dorado County Office of Education. The participating LEAs agree to leverage collective resources to provide for the coordinated delivery of programs and services to special needs students. The El Dorado County Office of Education is the designated Responsible Local Agency (RLA) for the El Dorado County SELPA. The El Dorado County Office of Education is considered an LEA for all purposes of this agreement except where referred to as the RLA. In adopting the local plan, each participating LEA agrees to carry out the duties and responsibilities assigned to it within the plan and to ensure equal access to programs and services to eligible persons requiring special education in the service region.

The governance structure of the SELPA is established by agreement among the governing boards of the member LEAs. It consists of the SELPA Superintendents' Council, the SELPA Executive Committee, and the Community Advisory Committee. The SELPA Administrator may convene additional committees. The SELPA Administrator is responsible for the coordination of the SELPA and the implementation of the local plan.

ADMINISTRATIVE UNIT

Pursuant to the provisions of Education Code Section 56030 et seq., the Administrative Unit (AU) shall receive and distribute regionalized service funds, provide administrative support and coordinate the implementation of the El Dorado County Local Plan for Special Education in all member districts located within the El Dorado County SELPA. The AU shall perform such services and functions required to accomplish the goals set forth in the plan.

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

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

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

SELPA SUPERINTENDENTS' COUNCIL

The SELPA Superintendents' Council (SSC) is an administrative body that shall consist of a superintendent from each of the participating LEAs and the superintendent of the AU or a designee, each of whom shall provide a liaison function between the LEA governing board and

the SSC. 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 SSC. The SSC shall consider recommendations submitted by the SELPA Administrator and take action as appropriate. The SELPA will have the responsibility for the coordination and implementation of SSC decisions. The SSC shall have final authority to act upon fiscal and policy recommendations. Effective July 1, 2020, the allotted votes on the SELPA Superintendents' Council shall be as follows:

District Name	Votes
Black Oak Mine Unified	1
Buckeye Union	1
Camino Union	1
El Dorado Union High School District	1
El Dorado County Office of Education	1
Gold Oak Union	1
Gold Trail Union	1
Indian Diggings	1
Latrobe	1
Mother Lode Union	1
Pioneer Union	1
Placerville Union	1
Pollock Pines	1
Rescue Union	1
Silver Fork	1
Total	15

The El Dorado County Office of Education is considered an LEA for all purposes of this agreement except where referred to as the AU.

Representatives of a majority of member LEAs must be present in order to form a quorum and take action on any item. For instance, to form a quorum requires attendance by fifty percent (50%) plus one of the members (8 LEAs). Approval of any action requires a majority vote of the quorum.

The SCC shall adopt a public meeting schedule annually according to Brown Act requirements to receive and take action on information or SELPA recommendations.

SELPA Executive Committee

The SELPA Executive Committee serves as an informal advisory body to the SELPA Administration. The Committee may consider and advise the SELPA administration on matters including, but not limited to, program operations, policies and procedures, and fiscal considerations. The Committee shall have no continuing subject matter jurisdiction.

The Committee shall be comprised of superintendents representing, one (1) high school district, one (1) unified district, and three (3) elementary districts and representatives from the County Office of Education. When considering and advising matters pertaining to the SELPA, Superintendents on the committee will represent the interests of other Local Education Agencies of similar size and with like interests.

At no time shall an Executive Committee meeting be conducted with a majority of SELPA members. Summaries of the Executive Committee meetings shall be transmitted to the full membership of the SSC.

SPECIAL EDUCATION COMMUNITY ADVISORY COMMITTEE - CAC

Each district shall be entitled to appoint one parent representative, approved by the LEA governing board, to participate in the Special Education Community Advisory Committee to serve staggered terms in accordance with E.C. § 56191 for a period of at least two years. Selected parents will be the parent of a child with a disability. This does not prohibit additional parents from participating in CAC meetings or activities. This group will advise the SELPA Administrator on the implementation of the El Dorado County Local Plan for Special Education ("Local Plan").

The Community Advisory Committee shall have the authority and fulfill the responsibilities that are defined for it in the local plan. The responsibilities shall include, but need not be limited to, all the following:

- (a) Advising the policy and administrative entity of the special education local plan area regarding the development, amendment, and review of the local plan. The entity shall review and consider comments from the community advisory committee.
- (b) Recommending annual priorities to be addressed by the plan.
- (c) Assisting in parent education and in recruiting parents and other volunteers who may contribute to the implementation of the plan.
- (d) Encouraging community involvement in the development and review of the local plan.
- (e) Supporting activities on behalf of individuals with exceptional needs.
- (f) Assisting in parent awareness of the importance of regular school attendance.
- (g) Supporting community involvement in the parent advisory committee established pursuant to Section 52063 to encourage the inclusion of parents of individuals with exceptional needs to the extent these pupils also fall within one or more of the definitions in Section 42238.01.

D GOVERNANCE

GOVERNANCE AND ADMINISTRATIVE STRUCTURE

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the SSC. 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 SSC. The SSC shall consider recommendations submitted by the SELPA Administrator and take action as appropriate. The SELPA ~~will serve as staff to the SSC and~~ will have the responsibility for the coordination and implementation of SSC decisions. The SSC shall have final authority to act upon fiscal and policy recommendations. Effective July 1, 2020, the allotted votes on the SELPA Superintendents' Council shall be as follows:

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Gold Trail Union	1
Indian Diggings	1
Latrobe	1
Mother Lode Union	1
Pioneer Union	1
Placerville Union	1
Pollock Pines	1
Rescue Union	1
Silver Fork	1
<u>Total</u>	<u>15</u>

The El Dorado County Office of Education is considered an LEA for all purposes of this agreement except where referred to as the AU.

Representatives of a majority of member LEAs must be present in order to form a quorum and take action on any item. For instance, to form a quorum requires attendance by fifty percent (50%) plus one of the members (8 LEAs). Approval of any action requires a majority vote of the quorum.

The SCC shall adopt a public meeting schedule annually according to Brown Act requirements to receive and take action on information or SELPA recommendations.

SELPA Executive Committee

The SELPA Executive Committee serves as an informal advisory body to the SELPA Administration. The Committee ~~considers and advises~~ may consider and advise the SELPA administration on matters including, but not limited to, program operations, ~~shared risk pool request, strategic planning, procedural matters~~ policies and procedures, and fiscal considerations. The Committee shall have no continuing subject matter jurisdiction.

The Committee shall be comprised of superintendents representing, ~~o~~One (1) ~~h~~High school ~~d~~Districts, one (1) ~~U~~nified ~~d~~Districts, and three (3) elementary districts and representatives from the County Office of Education. When considering and advising matters pertaining to the SELPA, Superintendents on the committee ~~serve as a representative for~~ will represent the interests of other Local Education Agencies of similar size, ~~and with like interests, in considering and advising matters pertaining to the SELPA.~~

However, ~~a~~At no time shall an Executive Committee meeting be conducted with a majority of SELPA members. Summaries of the Executive Committee meetings shall be transmitted to the full membership of the SSC.

SELPA EXECUTIVE COMMITTEE

The SELPA Executive Committee, which includes the SELPA Administrator as staff, makes recommendations concerning the SELPA to the SELPA Administrator. The Executive Committee will be comprised of members of the Superintendents' Council who will be selected by majority vote. The El Dorado County Superintendent shall serve as an ex-officio member of the Executive Committee. ~~Serve as a representative for Local Education Agencies of similar size, and with like interests, in considering matters pertaining to the Local Plan prior to submitting these matters to the full SSC for consideration and/or approval.~~

The SELPA Executive Committee may advise the SELPA or AU in the following areas:

- A. ~~Requests to the Shared Risk Pool, as appropriate.~~
- B. ~~Reviewing regional program data.~~
- C. ~~Receiving and reviewing input from the Community Advisory Committee.~~
- D. ~~Establish a regular schedule of meetings for the year and schedule additional meetings as needed.~~
- E. ~~Solicit, initiate, and develop or review policy statements and recommend~~ appropriate action to the SSC.
- F. ~~Maintain an awareness of the activities of the SELPA Steering Committee (Or PLC) and encourage a working relationship with~~ the Steering Committee.
- G. ~~Recommend guidelines for the operation of the SSC.~~
- H. ~~Utilization of funds within the Local Plan Area and recommend amendments to the~~ SELPA allocation plan.
- I. ~~SELPA 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.

~~J. Coordinate with the RLA Superintendent in the recruitment, hiring, supervision, salary schedule placement and job description of the SELPA Administrator.~~

~~Minutes of the Executive Committee meetings shall be transmitted to the full membership of the SSC.~~

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- (d) Encouraging community involvement in the development and review of the local plan.
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