

LOCAL PLAN

Section B: Governance and Administration

SPECIAL EDUCATION LOCAL PLAN AREA



California Department of Education

Special Education Division

SELPA Monterey County SELPA

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B. Governance and Administration

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

Participating Local Educational Agencies

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

Special Education Local Plan Area—Local Plan Requirements

1. Describe the geographic service area covered by the local plan: [*EC 56195.1(d)*; *EC 56195.1(a)(1)*; *EC 56211*; *EC 56212*]

Monterey County is located on the Central Coast of California, just south of the San Francisco Bay Area, about 45 miles from San Jose and 106 miles from the City of San Francisco. The rich Salinas Valley extends through the heart of Monterey County, making it the third largest agricultural county in California. Monterey Bay and Big Sur borders Monterey County to the west with the longest coastline of any California county. Counties that share borders to the north, east, and south include Santa Cruz, San Benito, Fresno, Kings, Kern, and San Luis Obispo. Monterey County covers an area of 3, 771 square miles with an estimated population of 432,858 people.

The Monterey County Special Education Local Plan Area (SELPA) is a single county, multidistrict SELPA. It is comprised of 25 local educational agencies (LEAs), including all of the county's 24 school districts and the Monterey County Office of Education (MCOE). These LEAs are joined together to provide for the coordinated delivery of programs and services to students with special needs. The MCOE is designated as the Administrative Unit (AU) for the Monterey County SELPA. The MCOE is considered an LEA for all purposes of this agreement except where referred to as the AU. 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 member LEAs. It consists of the Governance Council, the Executive Committee, and the Community Advisory Committee. The SELPA Executive Director may convene additional advisory committees. The SELPA Executive Director is responsible for coordination of the SELPA and implementation of the local plan.

The local educational agencies (LEAs) participating in the Monterey County SELPA are the Monterey County Office of Education and all of the districts within the county. Those districts are organized into three zones.

Salinas Zone:

Alisal Union Elementary School District

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Graves Elementary School District
Lagunita Elementary School District
Salinas City Elementary School District
Salinas Union High School District
Santa Rita Union Elementary School District
Spreckels Union Elementary School District
Washington Union Elementary School District

Bay Zone:

Carmel Unified School District
Monterey Peninsula Unified School District
North Monterey County Unified School District
Pacific Grove Unified School District

Valley Zone:

Big Sur Unified School District
Bradley Union Elementary School District
Chualar Union Elementary School District
Gonzales Unified School District
Greenfield Union Elementary School District
King City Union Elementary School District
Mission Union Elementary School District
San Antonio Union Elementary School District
San Arda Union Elementary School District
San Lucas Union Elementary School District
Soledad Unified School District
South Monterey County Joint Union High School District

2. Describe the SELPA regional governance and administrative structure of the local plan. Clearly define the roles and structure of a multi-LEA governing body, or single LEA administration as applicable: [EC 56195.1(b)(1)-(3)(c); EC 56205(a)(12)]

SELPA Governance Council:

The Governance Council is made up of the superintendents from each of the 24 districts and the MCOE. Superintendents may participate via telephone or video conferencing or appoint a designee to represent them if unable to attend a meeting. A quorum shall consist of 13 members or designees. A chair and vice-chair or co-chairs shall be elected annually. The SELPA Executive Director is an ex-officio member.

The Governance Council meets a minimum of one time per school year. All meetings of the council shall be held according to law and the Brown Act. The notice and minutes of all regular meetings shall be sent to all district superintendents, chairs of all LEA governing boards, the chair of the Community Advisory Committee, and others as requested.

SELPA Executive Committee:

The Executive Committee is made up of six representatives of the Governance Council. These

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representatives include two superintendents from each of three zones: the Valley Zone, the Salinas Zone, and the Bay Zone. At least one representative from each zone must be selected from a district with a student enrollment of at least 2,000. Members may participate in meetings via telephone or video conferencing if unable to attend in person. If a member is unable to attend in person or electronically, he or she is responsible for arranging with another LEA superintendent from the zone that the member represents to attend the meeting. The superintendent of the MCOE is an advisory member of the Executive Committee. The SELPA Executive Director is an ex-officio member.

The superintendents in each zone shall choose representatives in May for the following school year. Members shall be appointed for two years and may be re-appointed for additional terms. The terms of service for the two representatives from each zone shall be staggered. The annual term shall be from July 1 to June 30, although appointments or selection of substitute representatives from a zone may occur at any time if an appointed representative becomes unable to complete his or her appointed term. A quorum shall be four members. A chair and a vice chair or co-chairs shall be elected annually.

The Executive Committee shall meet not less than four times per school year, but may meet more often as needed. Additional meetings may be called at the request of any representative on the committee. All meetings of the committee shall be held according to law and the Brown Act. The committee chair(s) and the SELPA Executive Director shall prepare the agenda for each meeting; the SELPA Executive Director shall provide all support materials. The chair or co-chairs shall conduct the meeting.

The notice and minutes of all regular meetings shall be sent to all district superintendents, chairs of all LEA governing boards, the chair of the Community Advisory Committee, and others as requested.

SELPA Executive Director:

The AU is responsible for the recruitment of the SELPA Executive Director. The selection of a candidate for the position of SELPA Executive Director shall be the responsibility of the Executive Committee. The Executive Committee conducts the evaluation of the SELPA Executive Director.

The SELPA Executive Director assures equal access to all programs and services in the SELPA and provides advice to members of the public, including parents or guardians of individuals with exceptional needs who are receiving services under the local plan, on the availability of established due process and legal service options and procedures. In cooperation with the California Department of Education, the SELPA Executive Director provides information to ensure that all special education pupils receive due process of law.

SELPA Community Advisory Committee (CAC):

The Monterey County SELPA Community Advisory Committee (CAC) serves in an advisory capacity. CAC membership includes parents of individuals with exceptional needs enrolled in public or private schools, parents of other students enrolled in school, students with disabilities, adults with disabilities, general education teachers, special education teachers, other school

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personnel, representatives of other public and private agencies, and persons concerned with the needs of individuals with exceptional needs. At least a majority of the CAC shall be composed of parents of students enrolled in schools participating in the local plan, and at least a majority of such parents shall be parents of individuals with exceptional needs.

CAC members shall be appointed by LEA governing boards. The SELPA Executive Director or designee serves as ex-officio member of the CAC and acts as the liaison between the CAC, the Executive Committee, and the Governance Council.

The CAC shall have regularly scheduled meetings not less than four times per year. All meetings of the committee shall be held according to law. The SELPA Executive Director/designee will present the CAC's input to the Executive Committee for consideration.

Announcements of CAC meetings and activities will be posted on the SELPA website.

SELPA Director's Cabinet:

The SELPA Director's Cabinet consists of a special education administrator/designee from each participating LEA as well as program specialists from the SELPA and is convened as determined necessary by the SELPA Executive Director.

SELPA Financial Advisory Committee:

The Financial Advisory Committee consists of at least one chief business official and one LEA special education administrator from each zone. The committee shall include at least one participant who is representing small school districts. Other district personnel, as interested, may participate. The committee is convened as determined necessary by the SELPA Executive Director.

Special Focus Advisory Committees:

The SELPA Executive Director may convene informal special focus advisory committees who meet only as long as necessary to complete a specific purpose.

3. Describe the SELPA's regional policy making process. Clearly define the roles of a multi-LEA governing body, or single LEA administration as applicable related to the policy making process for coordinating and implementing the local plan: [EC 56195.7(i)(j)(1)(2)]

SELPA Governance Council:

SELPA Governance Council responsibilities shall include, but not be limited to:

1. Appointing representatives to the Executive Committee
2. Reviewing and taking action to approve or deny amendments to the local plan;
3. Reviewing and taking action to approve or deny changes to the income distribution agreement; and
4. Addressing any other item determined necessary by the Executive Committee.

The Governance Council provides input to and approves the evaluation of the SELPA Executive Director.

All council members have one vote and decisions will be made by a majority vote except in circumstances where state or federal mandates require a unanimous vote.

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SELPA Executive Committee:

Executive Committee responsibilities shall include, but not be limited to:

1. Recommending action on proposed amendments to the local plan to the Governance Council;
2. Recommending action on proposed revisions to the income distribution agreement for the distribution of federal, state, and local funds allocated for special education programs to the Governance Council;
3. Taking action to approve or deny requests for program transfers;
4. Taking action to approve or deny SELPA-wide policies, administrative regulations, procedures, resolutions, local interagency agreements and guidelines for the management and implementation of special education programs and services within the SELPA;
5. Supervising the recruitment and selection process for the SELPA Executive Director;
6. Providing direction to the SELPA Executive Director for regionalized and program specialist services;
7. Directing that data be gathered, interpreted, and reported regarding the implementation, administration and operation of the local plan;
8. Reviewing data in order to monitor planned and actual accomplishments of special education programs in the districts that comprise the local plan;
9. Reporting status of the SELPA to the Governance Council at its regularly scheduled meetings; and
10. Evaluating the SELPA Executive Director.

Each zone representative shall have one vote and decisions will be made by majority vote except in circumstances where state or federal mandates require a unanimous vote. In addition, the superintendent of the MCOE shall have an advisory vote. In the event of a tie, the vote of the superintendent of the MCOE will serve as the tie-breaking vote.

SELPA Executive Director:

Executive Director duties include, but are not limited to:

1. Coordinating implementation of all components of the local plan;
2. Preparing and submitting approved annual budget and service plans;
3. Developing, implementing, supervising, and evaluating regionalized services;
4. Overseeing the recruitment, supervision, and evaluation of SELPA staff;
5. Developing and ensuring implementation of policies, procedures, and local agreements that will ensure that all students are provided with a free and appropriate public education;
6. Developing and maintaining interagency agreements with appropriate public agencies to ensure a full range of special education programs and services;
7. Ensuring appropriate use of federal, state, and local funds allocated for special education;
8. Preparing program and fiscal reports required by the LEAs, SELPA, and California Department of Education;
9. Developing and implementing a plan for personnel development, including training of staff and parents;
10. Providing technical assistance and consultation to LEAs in all areas of special education, including complaint and due process procedures;
11. Adopting and implementing a management information system;
12. Establishing and maintaining a positive relationship with all members of the SELPA;
13. Informing the superintendents of the status of the special education programs; and

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14. Serving as an ex-officio member of the Governance Council and the Executive Committee.

SELPA Community Advisory Committee:

Community Advisory Committee responsibilities include:

1. Advising the policy and administrative entity on the development, amendment, and review of the local plan;
2. Recommending annual priorities to be addressed by the SELPA;
3. Assisting in parent education and in recruiting parents and other volunteers who may contribute to the implementation of the local plan;
4. Encouraging community involvement in the development of the local plan;
5. Supporting activities on behalf of individuals with exceptional needs; and
6. Assisting in parent awareness of the importance of regular school attendance.

SELPA Director's Cabinet:

The purpose of the cabinet is to:

1. Provide input to the SELPA Executive Director regarding special education program needs, policies, procedures, agreements, and forms;
2. Provide input to develop and implement personnel development programs; and
3. Provide participants with a venue for sharing ideas regarding issues, such as IEP development and implementation, curriculum scope and sequence, student performance targets, assessments, instructional best practices, and day-to-day operations.

SELPA Financial Advisory Committee:

The purpose of the Financial Advisory Committee is to provide suggestions and recommendations to the SELPA Executive Director regarding financial issues, such as the income distribution agreement, the annual budget plan, the impact of budgets for regional programs on the provision of special education throughout the SELPA, and maintenance of effort requirements.

Special Advisory Focus Committees:

Each committee will meet in areas such as program development, SELPA adoption of student information systems, development and revision of IEP forms, and interagency agreements.

4. Clearly define the roles of the County Office of Education (COE) as applicable, and/or any other administrative supports necessary to coordinate and implement the local plan: [EC 56195.1(c); EC 56205(a)(12)(D)(i); EC 56195.5]

Administrative Unit (AU):

The Governance Council has designated the MCOE as the AU for the SELPA. The AU is the SELPA's fiscal agent and is responsible for implementing the following functions:

1. Receipt and distribution of special education funds for the operation of special education programs and services, pursuant to state and federal law;
2. Administrative support, including establishing and maintaining an office for SELPA staff; and
3. Employment of SELPA staff to coordinate implementation of the local plan.

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5. Does the SELPA have policies and procedures that allow for the participation of charter schools in the local plan? [EC 56207.5]

☐ Yes

☐ No

If No, explain why the SELPA does not have the policy and procedures.

A request by a charter school to participate as an LEA in the Monterey 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:

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

6. Identify and describe the representation and participation of the SELPA community advisory committee (CAC) pursuant to EC Section 56190 in the development of the local plan: [EC 56194(a)(b)(d); EC 56195.9(a)]

The Monterey County SELPA Community Advisory Committee (CAC) serves in an advisory capacity. CAC membership includes parents of individuals with exceptional needs enrolled in public or private schools, parents of other students enrolled in school, students with disabilities, adults with disabilities, general education teachers, special education teachers, other school personnel, representatives of other public and private agencies, and persons concerned with the needs of individuals with exceptional needs. At least a majority of the CAC shall be composed of parents of students enrolled in schools participating in the local plan, and at least a majority of such parents shall be parents of individuals with exceptional needs.

CAC members shall be appointed by LEA governing boards. The SELPA Executive Director or designee serves as ex- officio member of the CAC and acts as the liaison between the CAC, the Executive Committee and the Governance Council.

Community Advisory Committee responsibilities include:

1. Advising the policy and administrative entity on the development, amendment, and review of the local plan;
2. Recommending annual priorities to be addressed by the SELPA;
3. Assisting in parent education and in recruiting parents and other volunteers who may contribute to the implementation of the plan;
4. Encouraging community involvement in the development of the local plan;
5. Supporting activities on behalf of individuals with exceptional needs; and
6. Assisting in parent awareness of the importance of regular school attendance.

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The CAC shall have regularly scheduled meetings not less than four times per year. All meetings of the committee shall be held according to law. The SELPA Executive Director/designee will present the CAC's input to the Executive Committee for consideration.

Announcements of CAC meetings and activities will be posted on the SELPA website.

7. Describe the SELPA's process for regular consultations regarding the plan development with representative of special education and regular education teachers, and administrators selected by the groups they represent and parent members of the CAC: [EC 56205(a)(12)(E); EC 56205(b)(7)]

The SELPA Executive Director shall be responsible for the coordination of the local plan. Amendments to the permanent portion of the local plan may be considered at any time. The Executive Committee may adopt changes to the local plan on an interim basis, not to exceed one school year. To formally adopt proposed and interim amendments the following procedure shall be followed:

1. A committee comprised of special and regular education teachers and administrators as well as CAC representatives shall be convened to provide input and make recommendations regarding the proposed or interim amendments to the local plan.
2. The CAC and other advisory groups, as determined appropriate by the SELPA Executive Director, will review the recommended amendments to the local plan, as presented by the committee, and provide additional input and revision, if needed.
3. The Executive Committee will review the recommended amendments, propose any final revisions, and submit the final draft to the Governance Council for approval.
4. The Governance Council will review and approve the final draft amendments of the local plan.
5. Amendments require the signed approval of each LEA superintendent on behalf of their school district.

Following approval by all LEA superintendents, the SELPA will submit the local plan to the California Department of Education, Special Education Division for submission to the State Board of Education.

8. Identify and describe the responsible local agency (RLA), Administrative Unit (AU), or other agency who is responsible for performing tasks such as the receipt and distribution of funds, provision of administrative support, and coordination and implementation of the plan: [EC 56836.01(a)(b); EC 56205(a)(12)(D)(ii); EC 56195(b)(3); EC 56030]

Administrative Unit (AU):

The Governance Council has designated the MCOE as the AU for the SELPA. The AU is the

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SELPA's fiscal agent and is responsible for implementing the following functions:

1. Receipt and distribution of special education funds for the operation of special education programs and services, pursuant to state and federal law;
2. Administrative support, including establishing and maintaining an office for SELPA staff; and
3. Employment of SELPA staff to coordinate implementation of the local plan.

9. Describe the contractual agreements and the SELPA's system for determining the responsibility of participating agency for the education of each student with special needs residing within the geographical area served by the plan: [EC 56195.7. EC 56195.1(b)(c)]

The SELPA will facilitate agreements for the provision and coordination of services by other public agencies that are funded to serve children with disabilities. Interagency agreements necessary to support the implementation of the local plan, and as required by legal mandates, have been developed with the following agencies:

1. California Children's Services;
2. Monterey County Department of Health, Behavioral Health Bureau;
3. Monterey County Head Start;
4. San Luis Obispo County Migrant and Seasonal Head Start; and
5. San Andreas Regional Center.

Other interagency agreements and/or memorandums of understanding will be developed as needed in support of the local plan. Copies of these documents can be requested through the SELPA office.

10. For multi-LEA local plans, specify:

- a. The responsibilities of each participating COE and LEA governing board in the policymaking process: [EC 56205(a)(12)(D)(i)]

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

1. Adoption of policies and procedures for special education programs and services within their LEA;
2. LEA compliance with all elements of the local plan;
3. Input on SELPA policies and procedures through the superintendent of the LEA; and
4. Appointment of individuals to the CAC.

- b. The responsibilities of the superintendents of each participating LEA and COE in the implementation of the local plan: [EC 56205(a)(12)(D)(i)]

Superintendents of each LEA are responsible to their respective governing boards. LEA superintendents select the representative(s) to the Executive Committee from their zones. In addition, LEA superintendents:

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1. Serve as a member of the Governance Council;
2. Assist in the identification of special education program and service needs for the Monterey County SELPA through participation on the Governance Council; and
3. Communicate SELPA information to their governing boards.

- c. The responsibilities of district and county administrators of special education in coordinating the administration of the local plan: [EC 56205(a)(12)(D)(i)]

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

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

- a. The hiring, supervision, evaluation, and discipline of the SELPA administrator and staff employed by the AU in support of the local plan: [EC 56205(a)(12)(D)(ii)(I)]

The AU is responsible for the recruitment of the SELPA Executive Director. The selection of a candidate for the position of SELPA Executive Director shall be the responsibility of the Executive Committee. The Executive Committee conducts the evaluation of the SELPA Executive Director.

SELPA staff are employed through the AU and serve the SELPA under the direction of the SELPA Executive Director. The SELPA Executive Director evaluates all SELPA staff.

- b. The local method used to distribute federal and state funds to the SELPA RLA/AU and to LEAs within the SELPA: [EC 56205(a)(12)(D)(ii)(II); EC 56195.7(i)]

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. Districts and the MCOE 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.

- c. The operation of special education programs: [EC 56205(a)(12)(D)(ii)(III)]

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

- d. Monitoring the appropriate use of federal, state, and local funds allocated for special education programs: [EC 56205(a)(12)(D)(ii)(IV)]

The SELPA shall adopt an annual budget plan at a public hearing scheduled in compliance with

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all legal mandates. The annual budget plan shall identify expected income and expenditures as required by state and federal laws.

12. Describe how specialized equipment and services will be distributed within the SELPA in a manner that minimizes the necessity to serve students in isolated sites and maximizes the opportunities to serve students in the least restrictive environments: [EC 56206]

Specialized equipment and services will be provided at the site where the Individualized Education Program (IEP) team has determined appropriate for the student to receive a free and appropriate public education in the least restrictive environment. Funds for low incidence equipment, materials, and supplies, as well as for low incidence services, are restricted to support of students in the following disability categories: hard-of-hearing, deaf, visual disability, severely orthopedically impaired, and deaf-blind. Low incidence funds are administered through the Monterey County SELPA as specified in the Monterey County SELPA Procedural Handbook, Part I, Chapter 7, Section 10, and include receipt of funds, expenditure of funds, maintenance of an inventory, development of procedures for exchange of equipment, and reporting to the state.

Policies, Procedures, and Programs

Pursuant to *EC* sections 56122 and 56205(a), the SELPA ensures conformity with Title 20 *United States Code (USC)* and in accordance with Title 34 *Code of Federal Regulations (CFR)* Section 300.201 and has in effect policies, procedures, and programs. For each of the following 23 areas, identify whether or not, each of the following provisions of law are adopted as stated. If the policy is not adopted as stated, briefly describe the SELPA's policy for the given area. In all cases, provide the SELPA policy and procedure numbers (If applicable. Leave blank if not applicable); the document title; and the physical location where the policy can be found.

1. Free Appropriate Public Education: 20 *USC* Section 1412(a)(1); *EC* 56205(a)(1)

Policy/Procedure Number: Special Education Local Plan Area Local Education Agency Assurances

Document Title: Monterey County SELPA Procedural Handbook

Document Location: SELPA Office and SELPA Website
<https://www.montereycoe.org/divisions-services/selpa/selpa-publications-and-forms>

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

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☒ Yes ☐ No

2. Full Educational Opportunity: 20 USC Section 1412(a)(2); EC 56205(a)(2)

Policy/Procedure Number:

Document Title:

Document Location: https://www.montereycoe.org/divisions-services/selpa/selpa-publications-and-forms"/>

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

☒ Yes ☐ No

3. Child Find: 20 USC Section 1412(a)(3); EC 56205(a)(3)

Policy/Procedure Number:

Document Title:

Document Location: https://www.montereycoe.org/divisions-services/selpa/selpa-publications-and-forms"/>

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

☒ Yes ☐ No

**4. Individualized Education Program (IEP) and Individualized Family Service Plan (IFSP):
20 USC Section 1412(a)(4); EC 56205(a)(4)**

Policy/Procedure Number:

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Document Title:

Document Location: https://www.montereycoe.org/divisions-services/selpa/selpa-publications-and-forms"/>

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

☒ Yes ☐ No

5. Least Restrictive Environment: *USC* Section 1412(a)(5); *EC* 56205(a)(5)

Policy/Procedure Number:

Document Title:

Document Location: https://www.montereycoe.org/divisions-services/selpa/selpa-publications-and-forms"/>

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

☒ Yes ☐ No

6. Procedural Safeguards: 20 *USC* Section 1412(a)(6); *EC* 56205(a)(6)

Policy/Procedure Number:

Document Title:

Document Location: https://www.montereycoe.org/divisions-services/selpa/selpa-publications-and-forms"/>

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

☒ Yes ☐ No

7. Evaluation: 20 USC Section 1412(a)(7); EC 56205(a)(7)

Policy/Procedure Number:

Document Title:

Document Location: https://www.montereycoe.org/divisions-services/selpa/selpa-publications-and-forms"/>

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

☒ Yes ☐ No

8. Confidentiality: 20 USC Section 1412(a)(8); EC 56205(a)(8)

Policy/Procedure Number:

Document Title:

Document Location: https://www.montereycoe.org/divisions-services/selpa/selpa-publications-and-forms"/>

"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, non-academic programs, and services available to non-disabled children." The policy is adopted by the SELPA as stated:

☒ Yes ☐ No

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9. Part C to Part B Transition: 20 USC Section 1412(a)(9); EC 56205(a)(9)

Policy/Procedure Number:

Document Title:

Document Location: https://www.montereycoe.org/divisions-services/selpa/selpa-publications-and-forms"/>

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

☒ Yes ☐ No

10. Private Schools: 20 USC Section 1412(a)(10); EC 56205(a)(10)

Policy/Procedure Number:

Document Title:

Document Location: https://www.montereycoe.org/divisions-services/selpa/selpa-publications-and-forms"/>

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

☒ Yes ☐ No

11. Local Compliance Assurances: 20 USC Section 1412(a)(11); EC 56205(a)(11)

Policy/Procedure Number:

Document Title:

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Document Location:

SELPA Office and SELPA Website

<https://www.montereycoe.org/divisions-services/selpa/selpa-publications-and-forms>

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

☒ Yes ☐ No

12. Interagency: 20 USC Section 1412(a)(12); EC 56205(a)(12)(D)(iii)

Policy/Procedure Number:

Document Title:

Document Location:

SELPA Office and SELPA Website

<https://www.montereycoe.org/divisions-services/selpa/selpa-publications-and-forms>

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

☒ Yes ☐ No

13. Governance: 20 USC Section 1412(a)(13); EC 56205(a)(12)

Policy/Procedure Number:

Document Title:

Document Location:

SELPA Office and SELPA Website

<https://www.montereycoe.org/divisions-services/selpa/selpa-publications-and-forms>

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

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adopted by the SELPA as stated:

☒ Yes ☐ No

14. Personnel Qualifications; EC 56205(a)(13)

Policy/Procedure Number:

Document Title:

Document Location: https://www.montereycoe.org/divisions-services/selpa/selpa-publications-and-forms"/>

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

☒ Yes ☐ No

15. Performance Goals and Indicators: 20 USC Section 1412(a)(15); EC 56205(a)(14)

Policy/Procedure Number:

Document Title:

Document Location: https://www.montereycoe.org/divisions-services/selpa/selpa-publications-and-forms"/>

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

☒ Yes ☐ No

16. Participation in Assessments: 20 USC Section 1412(a)(16); EC 56205(a)(15)

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Policy/Procedure Number:

Document Title:

Document Location: https://www.montereycoe.org/divisions-services/selpa/selpa-publications-and-forms"/>

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

☒ Yes ☐ No

17. Supplementation of State, Local, and Federal Funds: 20 USC Section 1412(a)(17); EC 56205(a)(16)

Policy/Procedure Number:

Document Title:

Document Location: https://www.montereycoe.org/divisions-services/selpa/selpa-publications-and-forms"/>

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

☒ Yes ☐ No

18. Maintenance of Effort: 20 USC Section 1412(a)(18); EC 56205(a)(17)

Policy/Procedure Number:

Document Title:

Document Location: https://www.montereycoe.org/divisions-services/selpa/selpa-publications-and-forms"/>

"It shall be the policy of this LEA that federal funds will not be used to reduce the level of local funds

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and/or combined level of local and state funds expended for the education of children with disabilities except as provided in federal laws and regulations." The policy is adopted by the SELPA as stated:

☒ Yes ☐ No

19. Public Participation: 20 USC Section 1412(a)(19); EC 56205(a)(18)

Policy/Procedure Number:

Policy/Procedure Title:

Document Location: https://www.montereycoe.org/divisions-services/selpa/selpa-publications-and-forms"/>

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

☒ Yes ☐ No

20. Suspension and Expulsion: 20 USC Section 1412(a)(22); EC 56205(a)(19)

Policy/Procedure Number:

Document Title:

Document Location: https://www.montereycoe.org/divisions-services/selpa/selpa-publications-and-forms"/>

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

☒ Yes ☐ No

21. Access to Instructional Materials: 20 USC Section 1412(a)(23); EC 56205(a)(20)

Policy/Procedure Number:

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Document Title:

Document Location: https://www.montereycoe.org/divisions-services/selpa/selpa-publications-and-forms"/>

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

☒ Yes ☐ No

22. Over-identification and Disproportionality: 20 USC Section 1412(a)(24); EC 56205(a)(21)

Policy/Procedure Number:

Document Title:

Document Location: https://www.montereycoe.org/divisions-services/selpa/selpa-publications-and-forms"/>

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

☒ Yes ☐ No

23. Prohibition on Mandatory Medicine: 20 USC Section 1412(a)(25); EC 56205(a)(22)

Policy/Procedure Number:

Document Title:

Document Location: https://www.montereycoe.org/divisions-services/selpa/selpa-publications-and-forms"/>

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

☒ Yes ☐ No

SELPA Monterey County SELPAFiscal Year 2024-25**Administration of Regionalized Operations and Services**

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

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

Document Title:	Monterey County SELPA Procedural Handbook
Document Location:	SELPA Office and SELPA Website https://www.montereycoe.org/divisions-services/selpa/selpa-publications-and-forms
Description:	 Part I Program Procedures Chapter 1, Section 1.0 The Role of the SELPA Section 1.1 Agency Responsibilities in Providing Special Education Section 1.2 SELPA Governance Structure

2. Coordinated system of identification and assessment:

Document Title:	Monterey County SELPA Procedural Handbook
Document Location:	SELPA Office and SELPA Website https://www.montereycoe.org/divisions-services/selpa/selpa-publications-and-forms
Description:	 Part I Program Procedures Chapter 2 Identification and Referral Chapter 3 Response to Referral and Obtaining Parent Consent Chapter 4 Assessment Chapter 10 Programs for Early Childhood Education from Birth to Five Years of Age Chapter 11 Parentally Placed Private School Students Chapter 12 Summary of Timelines Part II Administrative Policies and Procedures Chapter 4 Independent Educational Evaluations Chapter 12 Alternative Education Programs Operated by MCOE

3. Coordinated system of procedural safeguards:

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Document Title:

Monterey County SELPA Procedural Handbook

Document Location:

SELPA Office and SELPA Website https://www.montereycoe.org/divisions-services/selpa/selpa-publications-and-forms

Description:

Part I Program and Procedures Chapter 2, Section 2.5 Notice of Procedural Safeguards
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4. Coordinated system of staff development and parent and guardian education:

Document Title:

Monterey County SELPA Procedural Handbook

Document Location:

SELPA Office and SELPA Website https://www.montereycoe.org/divisions-services/selpa/selpa-publications-and-forms

Description:

Part I Program Procedures Appendix Program Descriptions Part II Administrative Policies and Procedures Chapter 5, Section 5.0 Personnel Development
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5. Coordinated system of curriculum development and alignment with the core curriculum:

Document Title:

Monterey County SELPA Procedural Handbook

Document Location:

SELPA Office and SELPA Website https://www.montereycoe.org/divisions-services/selpa/selpa-publications-and-forms

Description:

Part I Program Procedures Chapter 1. Section 1.3 Who to Contact About Special Education in Monterey County Chapter 2, Section 2.2 Pre-Referral Activities Chapter 6 Required Components of the IEP Chapter 8, Section 8.1 Program Continuum Appendix Program Descriptions Part II Chapter 12 Alternative Education Programs Operated by MCOE

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

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Document Title: Monterey County SELPA Procedural Handbook

Document Location: SELPA Office and SELPA Website
<https://www.montereycoe.org/divisions-services/selpa/selpa-publications-and-forms>

Description: **Part I Program Procedures**
Chapter 1 The Role of the SELPA
Part II Administrative Policies and Procedures
Chapter 6 Program Review

7. Coordinated system of data collection and management:

Document Title: Monterey County SELPA Procedural Handbook

Document Location: SELPA Office and SELPA Website
<https://www.montereycoe.org/divisions-services/selpa/selpa-publications-and-forms>

Description: **Part I Program Procedures**
Chapter 14 Student Data

8. Coordination of interagency agreements:

Document Title: Monterey County SELPA Procedural Handbook

Document Location: SELPA Office and SELPA Website
<https://www.montereycoe.org/divisions-services/selpa/selpa-publications-and-forms>

Description: Part I Program Procedures
Chapter 1 The Role of the SELPA

9. Coordination of services to medical facilities:

Document Title: Monterey County SELPA Procedural Handbook

Document Location: SELPA Office and SELPA Website
<https://www.montereycoe.org/divisions-services/selpa/selpa-publications-and-forms>

Description: **Part II Administrative Policies and Procedures**
Chapter 9, Section 9.1 Hospitalized Students
Section 9.2 State Hospital Programs

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

Document Title:	Monterey County SELPA Procedural Handbook
Document Location:	SELPA Office and SELPA Website https://www.montereycoe.org/divisions-services/selpa/selpa-publications-and-forms
Description:	Part II Administrative Policies and Procedures Chapter 9, Section 9.3 Licensed Children's Institutions (LCI) and Foster Homes

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

Document Title:	Monterey County SELPA Procedural Handbook
Document Location:	SELPA Office and SELPA Website https://www.montereycoe.org/divisions-services/selpa/selpa-publications-and-forms
Description:	Part I Program Procedures Chapter 14 Student Data Part II Administrative Policies and Procedures Chapter 3, Section 3.9 Maintenance of Effort Policy Chapter 6, Section 6.0 Program Review

12. Fiscal and logistical support of the CAC:

Document Title:	Monterey County SELPA Procedural Handbook Community Advisory Committee (CAC) Bylaws
Document Location:	SELPA Office and SELPA Website https://www.montereycoe.org/divisions-services/selpa/selpa-publications-and-forms https://www.montereycoe.org/divisions-services/selpa/selpa-parent-community-resources
Description:	Part I Program Procedures Chapter 1, Section 1.2 SELPA Governance Structure Part II Administrative Policies and Procedures Chapter 7, Section 7.5 Parent and Staff Input Section 7.17 Timelines for the Program Transfer Process

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Community Advisory Committee (CAC) Bylaws

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

Document Title:	Monterey County SELPA Procedural Handbook
Document Location:	SELPA Office and SELPA Website https://www.montereycoe.org/divisions-services/selpa/selpa-publications-and-forms
Description:	<u>Part I Program Procedures</u> Chapter 6, Section 6.5 Transportation Chapter 7, Section 7 .13 Social/Emotional/Behavioral Development Section 7.14 Suspension and Expulsion <u>Part II Administrative Policies and Procedures</u> Chapter 7, Section 7.3 Related Service Transfers Section 7.9 SELPA Executive Committee Review and Action Chapter 8, Section 8.3 Referral Process Section 8.5 All IEP Meetings Following the Initial or Interim Placement Section 8. 7 Return to District of Residence Chapter 12, Section 12.3 Referral/Intake Process for County Community Schools Section 12.4 Interim Placement Section 12.8 Return to LEA of Residence

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

Document Title:	Monterey County SELPA Procedural Handbook
Document Location:	SELPA Office and SELPA Website https://www.montereycoe.org/divisions-services/selpa/selpa-publications-and-forms
Description:	<u>Part I Program Procedures</u> Chapter 4, Section 4.1 Legal Requirements of the Assessment Chapter 7, Section 7.3 Blind or Visually Impaired Students Section 7 .15 Transition Planning Section 7 .16 Timeline of Postsecondary Transition Planning and Services Chapter 8, Section 8.1 Program Continuum Section 8.2 Instructional Settings <u>Part II Administrative Policies and Procedures</u> Chapter 12, Section 12.1 Types of Alternative Education

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15. Assurance of full educational opportunity:

Document Title:	Monterey County SELPA Procedural Handbook
Document Location:	SELPA Office and SELPA Website https://www.montereycoe.org/divisions-services/selpa/selpa-publications-and-forms
Description:	<u>Part I Program Procedures</u> Chapter 8, Section 8.1 Program Continuum <u>Part II Administrative Policies and Procedures</u> Monterey County Special Education Local Plan Area Local Education Agency Assurances Chapter 8, Section 8.0 Regional Programs

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

Document Title:	Monterey County SELPA Procedural Handbook
Document Location:	SELPA Office and SELPA Website https://www.montereycoe.org/divisions-services/selpa/selpa-publications-and-forms
Description:	<u>Part II Administrative Policies and Procedures</u> Chapter 3 Income Distribution Agreement <u>Local Plan Section D: Annual Budget Plan</u>

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

Document Title:	Monterey County SELPA Procedural Handbook
Document Location:	SELPA Office and SELPA Website https://www.montereycoe.org/divisions-services/selpa/selpa-publications-and-forms
Description:	<u>Part I Program Procedures</u> Chapter 1, Section 1.1 Agency Responsibilities in Providing Special Education

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Part II Administrative Policies and Procedures

Chapter 5, Section 5.0 Personnel Development

Chapter 6, Section 6.0 Program Review

Special Education Local Plan Area Services

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

Document Title:

Monterey County SELPA Procedural Handbook

Memorandum of Understanding Between San Andreas Regional Center and Monterey County Special Education Local Plan Area (SARCSELPA MOU)

Interagency Agreement Between Monterey County SELPA, San Andreas Regional Center, and Monterey County Office of Education Early Learning Program (SELPA-SARC-EARLY LEARNING PROGRAM IA)

Interagency Agreement Between Community Action Partnership of San Luis Obispo County, Providing Head Start, Early Head Start, Migrant and Seasonal Head Start and State Child Development Programs & Monterey County Consortium Special Education Local Plan Area, San Andreas Regional Center (CAPSLO-SELPA-SARC IA)

Document Location:

SELPA Office and SELPA Website

<https://www.montereycoe.org/divisions-services/selpa/selpa-publications-and-forms>

Description:

Part I Program Procedures

Chapter 10 Programs for Early Childhood Education From Birth to Five Years of Age

SARC-SELPA MOU

SELPA-SARC-EARLY LEARNING PROGRAM IA

CAPSLO-SELPA-SARC IA

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

Document Title:

Monterey County SELPA Procedural Handbook

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Document Location:

SELPA Office and SELPA Website
<https://www.montereycoe.org/divisions-services/selpa/selpa-publications-and-forms>

Description:

Part I Program Procedures
Part I, Chapter 1, Section 1.2 SELPA Governance Structure

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

Document Title:

Monterey County SELPA Procedural Handbook

Document Location:

SELPA Office and SELPA Website
<https://www.montereycoe.org/divisions-services/selpa/selpa-publications-and-forms>

Description:

Part I Program Procedures
Chapter 15 Dispute Resolution

Part II Administrative Policies and Procedures
Chapter 2 Disputes Between Participating Entities

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

Document Title:

Monterey County SELPA Procedural Handbook

Document Location:

SELPA Office and SELPA Website
<https://www.montereycoe.org/divisions-services/selpa/selpa-publications-and-forms>

Description:

Part I Program Procedures
Chapter 2, Section 2.2 Pre-Referral Activities
Chapter 8, Section 8.1 Program Continuum

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

Monterey County SELPA Procedural Handbook

Memorandum of Understanding and Interagency Agreement Between

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Document Title:	the County of Monterey, on Behalf of the Monterey County Health Department, Behavioral Health Bureau and the Monterey County Special Education Local Plan Area for Mental Health Services (MCBH-SELPA MOU and IA)
Document Location:	SELPA Office and SELPA Website https://www.montereycoe.org/divisions-services/selpa/selpa-publications-and-forms
Description:	Part II Administrative Policies and Procedures Chapter 8, Section 8.6 Move to NPS/More Restrictive Placement Chapter 11, Section 11.0 Contracting for Services from a Nonpublic School/Agency Chapter 12, Section 12.7 Move to NPS/More Restrictive Placement <u>MCBH-SELPA MOU and IA</u> Residential Monitoring Determination of Need for Residential Placement Placement and Monitoring of Students in Residential Placement

6. A description of the process by which the SELPA will fulfill the obligations to provide free and appropriate public education (FAPE) to a student age 18 to 21 (or age 22 under the circumstances described in *EC* 56026(c)(4)) who has been incarcerated in a county jail and remains eligible for special education services:

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

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

Document Title:	Monterey County SELPA Procedural Handbook
Document Location:	SELPA Office and SELPA Website https://www.montereycoe.org/divisions-services/selpa/selpa-publications-and-forms
Description:	Part II Administrative Policies and Procedures Chapter 9, Section 9.5 Identification of and Provision of Service to Eligible Students in Adult County Jails