



Madera-Mariposa Special Education Local Plan Area

Local Plan

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SELPA Administrative Unit
1105 South Madera Avenue
Madera CA 933637

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MADERA-MARIPOSA COUNTIES LOCAL PLAN AREA

PARTICIPATING LOCAL EDUCATION AGENCIES (LEAs)

Alview-Dairyland Union School District

Bass Lake Joint Union School District

Chawanakee Unified School District

Chowchilla Elementary School District

Chowchilla Union High School District

Ezequiel Tafoya Alvarado Academy Charter

Golden Valley Unified School District

Madera County Office of Education

Madera Unified School District

Mariposa County Office of Education

Mariposa Unified School District

Raymond-Knowles Union School District

Sherman Thomas Charter Schools:

 Sherman Thomas Charter School

 Sherman Thomas High School

 Sherman Thomas STEM Academy

Western Sierra Charter Schools:

 Glacier High School Charter

 Mountain Home School Charter

Yosemite Unified School District

Madera County Superintendent of Schools Administrative Unit

LOCAL EDUCATION AGENCY ASSURANCES

These are the 28 assurances required by law that each local educational agency shall adhere to as a member of the Madera-Mariposa SELPA.

- 1. Free Appropriate Public Education 20 United States Code (USC) Section (§) 1412 (a) (1)**
A free appropriate public education is available to all children residing in the LEA between the ages of three through 21 inclusive, including students with disabilities who have been suspended or expelled from school.
- 2. Full Educational Opportunity 20 USC § 1412 (a) (2)**
All pupils with disabilities have access to educational programs, nonacademic programs, and services available to non-disabled pupils.
- 3. Child Find 20 USC § 1412 (a) (3)**
All children with disabilities residing in the State, including children with disabilities who are homeless or are wards of the State and children attending private schools, regardless of the severity of their disabilities, and who are in need of special education and related services are identified, located and evaluated. A practical method is developed and implemented to determine which students with disabilities are currently receiving needed special education and related services.
- 4. Individualized Education Program (IEP) and Individualized Family Service Plan (IFSP) 20 USC § 1412 (a) (4)**
An Individualized Education Program (IEP) or an Individualized Family Service Plan (IFSP) is developed, reviewed and revised for each child with a disability who requires special education and related services in order to benefit from his/her individualized education program. It shall be the policy of this LEA that a review of an IEP will be conducted on at least an annual basis to review a student's progress and make appropriate revisions.
- 5. Least Restrictive Environment 20 USC § 1412 (a) (5)**
To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled. Special class, separate schooling, or other removal of a student with disabilities from the general educational environment, occurs only when the nature or severity of the disability of the student is such that education in general classes with the use of supplemental aids and services cannot be achieved satisfactorily.
- 6. Procedural Safeguards 20 USC § 1412 (a) (6)**
Children with disabilities and their parents shall be afforded all procedural safeguards throughout the provision of a free appropriate public education including the identification, evaluation, and placement process.
- 7. Evaluation 20 USC § 1412 (a) (7)**
Reassessment of a student with a disability shall be conducted once every three years or more frequently, if appropriate.
- 8. Confidentiality 20 USC § 1412 (a) (8)**
Confidentiality of personally identifiable data information and records maintained by the LEA relating to children with disabilities and their parents and families shall be protected pursuant to the Family Educational Rights and Privacy Act (FERPA).

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

Transition process for a child who is participating in Early Intervention Programs (IDEA, Part C) with an IFSP is begun prior to a toddler's third birthday. The transition process shall be smooth, timely and effective for the child and family.
- 10. Private Schools 20 USC § 1412 (a) (10)**

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

The local plan shall be adopted by the appropriate local board(s) (district/county/charter) and is the basis for the operation and administration of special education programs; and that the agency(ies) herein represented will meet all applicable requirements of state and federal laws and regulations, including compliance with the Individuals with Disabilities Education Act (IDEA), the Federal Rehabilitation Act of 1973, Section 504 of Public Law and the provisions of the California *Education Code*, Part 30.
- 12. Interagency 20 USC § 1412 (a) (12)**

Interagency agreements or other mechanisms for interagency coordination are in effect to ensure services required for FAPE are provided, including the continuation of services during an interagency dispute resolution process.
- 13. Governance 20 USC § 1412 (a) (13)**

Each LEA shall support and comply with the provisions of the governance bodies and any necessary administrative support to implement the Local Plan. A final determination that an LEA is not eligible for assistance under this part will not be made without first affording that LEA with reasonable notice and an opportunity for a hearing through the State Educational Agency.
- 14. Personnel Qualifications 20 USC § 1412 (a) (14)**

Personnel providing special education related services meet requirements as defined under federal and state law, including that those personnel have the content knowledge and skills to serve children with disabilities. This assurance 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 qualified or to prevent a parent from filing a State complaint with the California Department of Education (CDE) about staff qualifications.
- 15. Performance Goals and Indicators 20 USC § 1412 (a) (15)**

Comply with the requirements of the performance goals and indicators developed by the CDE and provide data as required by the CDE.
- 16. Participation in Assessments 20 USC § 1412 (a) (16)**

Students with disabilities shall participate in state and district-wide assessment programs. The IEP team determines how a student will access assessments with or without accommodations, or access alternate assessments, consistent with state standards governing such determinations.
- 17. Supplementation of State/Federal Funds 20 USC § 1412 (a) (17)**

Provide assurances that funds received from Part B of the IDEA will be expended in accordance with the applicable provisions of the IDEA; will be used to supplement and not to supplant state, local and other Federal funds those funds.

- 18. Maintenance of Effort 20 USC § 1412 (a) (18)**
Federal funds will not be used to reduce the level of local funds and/or combined level of local and state funds expended for the education of children with disabilities except as provided in Federal law and regulations.
- 19. Public Participation 20 USC § 1412 (a) (19)**
Public hearings, adequate notice of the hearings, and an opportunity for comment available to the general public, including individuals with disabilities and parents of children with disabilities are held prior to the adoption of any policies and/or regulations needed to comply with Part B of the IDEA.
- 20. Rule of Construction** (Federal requirement for State Education Agency only)
- 21. State Advisory Panel** (Federal Requirement for State Education Agency only)
- 22. Suspension/Expulsion 20 USC § 1412 (a) (22)**
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.
- 23. Access to Instructional Materials 20 USC § 1412 (a) (23)**
Instructional materials for students who are blind, visually impaired or who have other print disabilities will be provided in a timely manner according to the state adopted National Instructional Materials Accessibility Standard.
- 24. Over-identification and Disproportionality 20 USC § 1412 (a) (24)**
Prevent the inappropriate disproportionate representation by race and ethnicity of students with disabilities.
- 25. Prohibition on Mandatory Medicine 20 USC § 1412 (a) (25)**
School personnel are prohibited 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.
- 26. Distribution of Funds** (Federal Requirement for State Agency only)
- 27. Data 20 USC § 1418 (a-d)**
Data or information shall be provided to the CDE as required by regulations.
- 28. Charter Schools EC 56207.5 (a-c)**
Request by a charter school to participate as a local educational agency in a special education local plan area may not be treated differently from a similar request made by a school district.

GOVERNANCE

The Madera-Mariposa Counties Special Education Local Plan Area (Madera-Mariposa SELPA), a two county multi-district SELPA, shall include all local education agencies (LEAs) located within Madera and Mariposa Counties. The Madera-Mariposa SELPA will serve all eligible individuals with special needs, birth to age 22, residing within the boundaries of the school districts and LEAs except as specified below. LEA members include ten (10) school districts, three (3) Charter schools approved for the purpose of providing special education (SE), Madera County Superintendent of Schools (MCSOS) and Mariposa County Office of Education.

For purposes of the Local Plan, the term District of Residence (DOR) shall be used to identify responsibilities that fall to the DOR. This term shall include any charter that is approved for the purpose of providing SE and has been approved by the SELPA Superintendents' Council as a Governance member LEA. When a student is accepted on an inter-district transfer, the accepting district becomes the DOR, with all applicable responsibilities, for the specified school year, unless the inter-district transfer has been revoked in accordance with the accepting district's existing Board policy. When a charter accepts a student, that charter becomes the DOR, with all applicable responsibilities, until such time as the student re-enrolls in their DOR of origin.

The LEAs within Madera-Mariposa Counties join together pursuant to Section 65195 and Section 56205 of the California Education code to assure access to SE and services for all eligible individuals with disabilities residing in the geographic area served by these LEAs, hereafter known as the Madera-Mariposa Special Education Local Plan Area (Madera-Mariposa SELPA).

LEAs in Madera-Mariposa Counties recognize that their cooperation benefits all students, and they have a history of approaching services, including SE, as a community. Madera-Mariposa Counties' LEAs are built on a tradition of mutual benefit and cooperation in implementing Public Law 94-142 and the California Master Plan by forming the Madera-Mariposa SELPA. Through this partnership, Madera-Mariposa LEAs have confirmed their commitment to a community-based approach in providing an appropriate continuum of programs and services using the most efficient and economical methods. The Local Plan required under AB 602 was designed to be fair and equitable for all agencies, to continue the commitment to a community effort, and to provide quality programs for students.

In adopting the Local Plan, each participating LEA agrees to carry out the duties and responsibilities assigned to it within the plan. Each LEA shall provide SE services to all eligible students within its boundaries, including students attending charter schools where a LEA of the SELPA has granted that charter. In addition, each agency shall cooperate to the maximum extent possible with other LEAs to serve individuals with disabilities who cannot be served in the program of the LEA of residence. Such cooperation ensures that a range of program options is available throughout Madera-Mariposa Counties. Participating agencies may enter into additional contractual arrangements to meet the requirements of applicable federal and state law.

Goals

- *Provide a continuum of service options, including general education.*
- *Assure that instructional plans are developed according to individual learning needs.*
- *Inform the general educational community of the purpose of the Local Plan and solicit input from school staffs, parents, students, and community agencies in the development of special education programs.*
- *Place students in the least restrictive environment (LRE).*
- *Practice non-discriminatory procedures in the assessment and placement of all students, and make a conscientious effort to enforce this policy in all practices and procedures.*
- *Utilize the services of public and non-public agencies and the State residential schools as appropriate.*
- *Work as a group to provide access to services for all eligible students with disabilities.*
- *Establish and maintain program evaluation, as directed by law, for purposes of improving the local program and providing required State data.*

ADMINISTRATIVE UNIT

The Madera County Superintendent of Schools shall serve as the Administrative Unit (AU) for the SELPA.

- The AU is designated to perform such functions as receipt and distribution of funds.
- The AU employs staff to support SELPA functions.
- The AU provides coordination of the Local Plan.
- The AU development of the Annual Service and Budget Plans shall coincide with the AU budget process.

LEA GOVERNING BOARDS

The Governing Boards of LEAs in Madera and Mariposa Counties shall adopt policies and procedures for SE programs and services provided in the Madera-Mariposa SELPA.

Responsibilities of the LEA governing boards include, but are not limited to:

- Participating in the governance of the Madera-Mariposa SELPA by empowering their superintendent to act as their agent in the approval and amendment of SELPA policies and procedures.
- Reviewing and approving revisions to the Madera-Mariposa SELPA Local Plan. By approving the Local Plan, the LEA Governing Board enters into an agreement with other LEAs participating in the plan, for the provision of services and programs. The governing board exercises authority over the programs it directly maintains or contracts for consistent with the Local Plan for the SELPA and individual LEA policies. It shall be fiscally accountable for SE programs operated or contracted for by its LEA.
- Appointing members to the Madera-Mariposa Community Advisory Committee (CAC).
- Reviewing formal complaints forwarded by the respective LEA superintendents as outlined in the LEA's Uniform or California Department of Education (CDE) Special Education Complaint Procedures.
- Addressing questions and concerns of the public, including parents or guardians of individuals with exceptional needs who are receiving services under the Local Plan. Questions and concerns may be addressed at any scheduled LEA Governing Board public meeting during the time set aside for items of public interest. A request may also be made to place an item on the agenda under any LEA Governing Board's policy or procedure regarding the agenda for a public meeting.
- Maintaining responsibility for all aspects related to due process, CDE complaints, and Office of Civil Rights (OCR) complaints.
- Maintaining responsibility for the development of policies and procedures related to Section 504. A copy of LEA policies and procedures are maintained in the LEA's Board Policies and Procedures Handbook.

Each District of Residence (DOR) superintendent will:

- Provide administrative leadership to local district SE programs in the following areas: program operations, curriculum, personnel, and budgeting.
- Supervise and be responsible for all SE personnel under its employment.
- Monitor ongoing services provided by regionalized providers assigned to their sites.

- Monitor all elements of the Individual Education Program (IEP), the offer of a free and appropriate public education (FAPE) and educational benefit for each district/charter student placed in a Regional Program operated by MCSOS, or contractually placed by the DOR in another SE program, or in a Non Public School (NPS).
- Assure that all SE legal requirements required of the DOR are carried out as specified in applicable education code.
- Provide a DOR representative to the IEP meeting who is qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of children with disabilities, can interpret the instructional implication of evaluation and results, and is knowledgeable about general curriculum, and has the authority to commit the resources of the district.

As a service provider, each District of Service (DOS) identified to offer services on behalf of member DORs will:

- Provide SE programs and services on behalf of the placing DOR.
- Provide administrative leadership in the area of program operations, curriculum, personnel and budgeting.
- Supervise and be responsible for all SE personnel under its employment.
- For students placed in SDC programs, provide a representative to the IEP meetings who is qualified to provide or supervise specially designed instruction and is knowledgeable about possible placements and services.
- For students receiving regionalized services, ensure that the related service provider or qualified designee attends IEP meetings, or obtains parent excusal through the process specified in law.
- Assure that all SE legal requirements are carried out as specified in the applicable education code.

All member LEAs shall:

- Submit information to the SELPA as required.
- Perform other duties necessary to coordinate the administration of the Local Plan as agreed.
- Assist in the coordination of community resources including implementation of interagency agreements.
- Maintain necessary records.
- Maintain and implement all procedural safeguards as defined by Individuals with Disabilities Education Act (IDEA).
- Coordinate and conduct state verification reviews of district SE programs including data collection as required.
- Implement and monitor corrective action rulings of the Office of Civil Rights (OCR) and the California Department of Education (CDE) complaints and the results of CDE verification reviews, as required.
- Submit to the SELPA administrator copies of any OCR, CDE due process and/or complaint findings including verification review which have SELPA-wide implications.
- Recruit and select representatives to the Madera-Mariposa SELPA Community Advisory Committee (CAC).

- Recognize the importance of employment of Program Specialist(s) to provide unique and necessary services to the districts and students in the SELPA. Program Specialist(s) will carry out a wide range of responsibilities to assist in overall services to students receiving special education.
- Recognize the importance of students with disabilities receiving as rigorous, high quality, researched based education as their nondisabled peers in alignment with the Common Core State Standards.
- Provide parents with access to the Madera-Mariposa SELPA Parent Handbook, upon referral of each child to special education.

SUPERINTENDENTS' GOVERNANCE COUNCIL (SC)

The SC ensures that all provisions of the Local Plan are implemented within the LEAs in the SELPA by providing direction to the SELPA Administrator regarding the implementation, administration, and operation of the Local Plan. This includes ensuring equal access to programs and services for all individuals with special needs within the SELPA.

The SC provides leadership for cooperative action among LEAs pertaining to the coordination of the implementation, administration, and operation of the Madera-Mariposa Special Education Local Plan.

There shall be an administrative governing body called the Superintendents' Council. The SC is composed of a superintendent (district or county) and charter director representing each LEA within the Madera-Mariposa SELPA and the Administrative Unit Superintendent. Each vote to which a member LEA is entitled may be cast only if in physical attendance.

A 50% plus one majority of member LEAs must be present in order to form a quorum and take action on any item.

The SC shall hold at least four (4) public meetings annually according to the Brown Act requirements to receive and take action on information or business related to SE and the administration of the Madera-Mariposa SELPA.

The initial SC chairperson in 2012 was designated as the SC member with the most seniority within the SC. The next senior member will assist as the vice-chairperson. The vice-chairperson will act in the absence of the chairperson. Rotation of the chairperson will follow based on seniority. Terms will consist of two years. When a member exits the SELPA, the replacing member will be added to the rotation schedule at the end of the schedule. The initial chairperson rotation schedule required a majority vote of the SC.

The Administrator for the SELPA will serve as the Executive Secretary to the SC and will provide staff assistance to the SC.

The SC shall act to establish operational procedures and make decisions on any matters regarding administration and operation of SE programs in accordance with the intent of the Local Plan. The SC will approve operational decisions for the SELPA such as, but not limited to the following:

- Review and approve needed modification of this agreement on behalf of all districts in the SELPA.
- Approve SELPA policies and procedures on behalf of their respective LEA Governing Boards to ensure compliance by districts with the Local Plan and state and federal laws and regulations. Each member shall assume the responsibility for communication and presentation of the adopted policies and procedures to their respective governing boards.

- Approve all SELPA procedures required to implement Madera-Mariposa SELPA policies.
- Approve the SELPA-wide annual service and budget plans, and subsequent modifications.
- Establish and promote the CAC. Encourage parental involvement through the members of the CAC, receive and consider requests and recommendations from their CAC representatives and other parent groups.
- Provide direction to the SELPA Administrator regarding the development, revision, implementation, and review of the Local Plan.
- Address questions and concerns of the public, including parents or guardians of individuals with exceptional needs who are receiving services under the Local Plan. Questions and concerns may be addressed at any scheduled SC public meeting during the time set aside for items of public interest. A request may also be made to place an item on the agenda under the SC's policy or procedure regarding the agenda for a public meeting.
- Approve the Allocation Plan for the distribution of federal, state and local funds received for SE programs.

Superintendents' Study Group (SSG)

The Superintendents' Study Group, SSG, is comprised of district and county superintendents and charter directors. The purpose of the SSG is to review and study:

- Operational procedures on matters regarding administration and operation of SE programs in accordance with the intent of the Local Plan.
- Analyze fiscal data in relation to apportionment allocation.
- Agreements, including, but not limited to inter-SELPA agreements, intra-SELPA agreements, interagency agreements and bill-back agreements, etc.

Program Administrators' Council (PAC)

The Program Administrator's Council, PAC, serves as the advisory committee to the SC and carries out those functions specified in the operation of SE and the Local Plan. The PAC is responsible for providing communication, consultation and coordination of SE. The PAC is composed of district, county and charter LEA special education administrators, SE coordinators and SE staff as appointed by the superintendent or director of the LEA in which they are employed. The SELPA Administrator shall serve as the chairperson of the PAC. The PAC may perform duties including but not limited to:

- Provide program/services and coordination within the SELPA to assure the availability of SE to all eligible individuals with disabilities.
- Participate on ad hoc committees, as needed, in the areas of, but not limited to: operations, fiscal, low incidence, and program ratios.
- Recommend actions regarding operations and programs for SE in the SELPA.
- Recommend policies, procedures and funding options to the SC.
- Review and recommend annual updates and changes to the Local Plan.

GOVERNANCE STRUCTURE CHANGE

Addition of New Members

Any LEA (including a charter school) meeting eligibility requirements may apply for membership. The application to join the Madera-Mariposa SELPA must be approved by the SC Governance Council. The Application for Membership for a charter school may be part of the charter school petition or a separate written document. The SC will make the final determination whether a LEA has the capacity and the ability to meet all requirements for the provision of FAPE, in the Least Restrictive Environment (LRE), including the ability to provide a continuum of SE options, and the ability to support high cost placements and other potential costs involved in the provision of SE. Each member LEA is entitled to all rights and privileges and is subject to all obligations of membership as set forth in this agreement. A request by a charter school to participate as a local educational agency in a SELPA may not be treated differently from a similar request made by a school district.

Once the LEA application is approved according to the voting process of the SC, the LEA will be responsible for and entitled to the following:

- Participation in the governance of the SELPA in the same manner as other SELPA member LEAs.
- Participation in and receipt of regionalized services in the same manner as other SELPA LEAs.
- Receive state and federal funding for SE in the same manner as other SELPA LEAs.
- Be responsible for all costs incurred in the provision of SE services. These costs may include, but are not limited to, instruction, transportation, nonpublic school/agency placements (NPS/NPA), inter-intra SELPA placements, due process proceedings, complaints, facilities, and attorney fees.
- Document that all state and federal SE funds apportioned to a LEA are used for the sole purpose of providing SE instruction and/or services to identified students with disabilities. Such funds shall be used to supplement and not supplant other sources of federal, state, and local funds apportioned to member LEAs.
- Agree to the conditions of the Madera-Mariposa SELPA Local Plan.

Application Process for Membership in the Madera-Mariposa SELPA

Application must be made to the SELPA by submitting a letter of intent by July 1 of the school year proceeding the school year in which the Local Education Agency (LEA) anticipates operating as a Madera-Mariposa SELPA member LEA for the purposes of providing special education. The Superintendent's Council (SC) shall make the final determination regarding admission of new members into the SELPA.

- The application must detail the following: Name of the school and contact person, a plan for the delivery of SE services and a list of staffing assignments and caseloads. The plan for SE services must describe the available continuum of placement options, supplemental aids and services and the regionalized programs available for children with disabilities including severe and low incidence disabilities.
- Provide a current operating budget in order to assure fiscal responsibility in accordance with Education Codes §42130 and §42131.
- Provide assurances that students and staff will be instructed in a safe environment.
- Provide a copy of the original charter petition, if applicable.

- Be responsible for any legal fees as it relates to the application and assurances process in becoming a member LEA.
- Be responsible regarding identification, screening, referral, assessment, instructional planning, implementation and review per the Madera-Mariposa Local Plan.
- Be responsible regarding procedural safeguards per the Madera-Mariposa Local Plan.
- Be responsible regarding hospitals, licensed children's institutions, and juvenile court/community schools per the Madera-Mariposa Local Plan.
- The review process for joining the Madera-Mariposa Counties SELPA shall include a SE review by the SELPA Administrator, including history of compliance and willingness to resolve any noncompliance. These findings shall be reported to the SC as part of the decision making process.
- The SC shall review the letter of intent and the supporting documentation and may request additional information, including meeting with a representative. Based upon their review, the Council may elect to approve or deny requests for membership. Priority for approval shall be requests where programmatic issues are compatible with the SELPA Local Plan and fiscal issues are revenue neutral.

Program Transfer from the Madera-Mariposa SELPA

A member LEA may request in writing to the AU/SC to transfer programs from and within the Madera-Mariposa SELPA. The notice shall be provided at least 24 months prior to July 1st of the year the LEA anticipates operation. If the SC approves the transfer*, during the 24 month period the requesting LEA will:

- Be responsible for any pending fiscal or programmatic obligations it has assumed during tenure in the Madera-Mariposa Counties SELPA.
- Meet any terms of an agreement regarding special education services provided by another LEA including any outstanding fiscal obligations.
- Meet the terms of an agreement regarding the provisions of transportation of special education students including any outstanding fiscal obligations.
- Complete all obligations under the Madera-Mariposa SELPA Local Plan policies and administrative regulations.

Withdrawal from the Madera-Mariposa SELPA

Any member LEA that wishes to withdraw from membership in the Madera-Mariposa SELPA must submit a written request to the AU/SC at least two years and one day prior to the effective date* of the withdrawal, provided that at such time said member has either discharged, or has arranged for discharge, to the satisfaction of the remaining members, any pending obligations it has assumed hereunder. Once the request is received, the SC will determine whether the withdrawal constitutes a program transfer or full withdrawal and the effect on size and scope of the withdrawing LEA and remaining members. Any withdrawal is subject to the provisions of law regarding the size and scope requirements of a SELPA.

- Withdrawal from membership in the Madera-Mariposa Counties SELPA shall not entitle such withdrawing member LEA to any partition of the property or reserves held by the Madera-Mariposa SELPA or any LEA provider of services. The AU/SC may, at its discretion, determine the reasonable

value and reimburse the withdrawing LEA for such member's proportionate interest in such equipment.

- The AU/SC, in its discretion, may determine the fair and reasonable value of such equipment and affix the amount of reimbursement to be paid by the withdrawing LEA.
- Any withdrawal of an LEA from the Madera-Mariposa SELPA shall not be deemed dissolution of the Madera-Mariposa SELPA or a termination of the adopted Local Plan policies and administrative regulations.
- Any withdrawal of an LEA from the Madera-Mariposa SELPA is subject to the provisions of law regarding LEA membership in a SELPA.

If either the sending or receiving agency disagree with the proposed transfer/withdrawal, the matter shall be resolved by the alternative dispute resolution process.

*Program transfer/withdrawal can commence sooner at the discretion of the SC, per the SC voting bylaws.

PROCEDURAL SAFEGUARD REQUIREMENTS

Each LEA shall ensure that parents receive written notification of their procedural safeguards including their right to file a complaint or a due process hearing. A copy of the procedural safeguards shall be given to the parents, at a minimum:

- Upon initial referral for evaluation.
- Upon attendance of an IEP meeting.
- Upon reevaluation of the child.
- Upon a proposed change of placement or denial of parent request.
- Upon receipt of a request for a due process hearing; and
- Prior to when a student meets the LEA board adopted graduation requirements or reaches maximum age for SE programs or services.

The notice of procedural safeguards shall be available in the primary language of parents whose primary language is not English, unless to do so is clearly not feasible. The written notice shall be in a language easily understood by the general public and shall include the following:

1. The right to initiate a referral of a child for SE services.
2. The right to obtain an independent educational evaluation (IEE) assessment.
3. The right to participate in the development of the IEP and to be informed of the availability of FAPE and of all alternative programs, both public and nonpublic.

Planning for the needs of non-English speaking parents shall include access to interpreters and translation services, unless to do so is clearly not feasible.

SELPA STAFF

SELPA Administrator

The fundamental role of the SELPA Administrator is to administer and coordinate the implementation of the Madera-Mariposa Local Plan. The SELPA Administrator's role includes the provision of information, specific administrative services identified by the SC, technical assistance, and leadership. The SELPA Administrator collaborates with the LEAs for the delivery of appropriate SE programs and services for individuals with exceptional needs within the SELPA which allows for a full continuum of educational opportunities. The SELPA Administrator represents the interests of the SELPA as a whole without promoting any particular LEAs interest over the interest of any other agencies.

The SELPA Administrator is hired by the AU with the assistance of the SC. The SELPA Administrator is subject to the AUs policies and procedures for day-to-day operations, but receives direction from, and is responsible to, the SC. The SELPA Administrator is evaluated by the AU superintendent with input from the SC.

Responsibilities of the SELPA Administrator include, but are not limited to:

- Advising the SC as it relates to SE laws and issues.
- Monitoring compliance with federal and state laws and regulations regarding SE to ensure that procedural safeguards are in place and implemented throughout the SELPA.
- Monitoring the appropriate use of federal, state, and local funds allocated for SE programs.
- Preparing the state, federal, and local reports as required with data from LEAs.
- Providing staff development opportunities by establishing regional in-service trainings for staff, parents, and members of the CAC.
- Collecting, processing, and reporting program, personnel, and fiscal data related to the state evaluation of SE as specified in accordance with state and federal laws and regulations.
- Maintaining and modifying, as necessary, the Special Education Information System to be used by the school districts in the referral, assessment, program planning, placement, and evaluation of SE students.
- Maintaining an inventory, completing required reports, receiving funds, and approving purchases for students with low incidence disabilities using low incidence funds for equipment and services based upon State Department of Education approved guidelines and local policies and procedures.
- Assisting and participating in CAC activities. The SELPA Administrator will act as liaison between the CAC and the SC, sharing information and recommendations between the two groups.
- Evaluating and distributing State Performance Plan Indicators and compliance data to all LEAs.
- Participating in verification reviews and CDE complaints related to program outcomes.
- Developing and coordinating interagency agreements.
- Implementing SELPA policy and procedures.
- Develop, update and submit an Annual Service and Budget Plan within guidelines and time frames identified by the CDE. Pursuant to EC 56205(b) (2), the SELPA will hold a public hearing to adopt both the service and budget components of the plan.

SELPA Program Specialist

Under the direction of the SELPA Administrator, the Program Specialist will be a member of the SELPA staff. Services and responsibilities of the SELPA Program Specialist include, but are not limited to:

- Providing staff development and training for general and SE administrators and staff.
- Developing and disseminating forms, policies, and procedures throughout the SELPA and county.
- Developing and submitting proposals for grants and research projects.
- Assisting in the preparation, implementation, and follow-up of reviews by the state.
- Serve as a member of the PAC.
- Manage the Madera-Mariposa SELPA WorkAbility I Program.

REGIONAL PROGRAMS

Regional Programs include a variety of self-contained classrooms for placement of students with moderate to severe special needs who require highly specialized programs and services. These programs are located on school sites within the SELPA, and operated by MCSOS for Madera County students and Mariposa County Office of Education (COE)/Mariposa County Unified for student with moderate to severe disabilities in Mariposa County. Both County Offices will ensure inclusion in the LRE can be supported. Even though students receiving services within these programs typically spend the majority of the day in a SE setting, emphasis is on providing mainstreaming opportunities under IDEA. Participation in these programs is available to each of the member LEAs within the Madera-Mariposa SELPA as a continuum of services. The type, number and location of classes, programs and services will be approved by the SC. Prior to considering placement in a regional program, districts are encouraged to exhaust all least restrictive placement alternatives at the local level. Placement considerations take place through the IEP process.

Regional Programs are available for students with moderate to severe disabilities including, but not limited to:

- Multiple disabilities
- Significant disabilities
- Emotional disabilities
- Deaf and Hard of Hearing, DHH
- Preschool

Additional Regionalized Services, which may be operated by MCSOS or Mariposa COE/Unified, are provided to students within the Madera-Mariposa SELPA. These Regionalized Services are Designated Instructional Services (DIS) which provide students with related services to allow students to benefit in their special or general education settings. Placement and service considerations take place through the IEP process.

Regional DIS services are available for students in these areas:

- **Language and Speech Services** This program provides services to students who have an identified language or speech disability in any of the following areas: articulation, receptive and/or expressive language, or fluency and voice. Services are provided at the school sites and to regionally operated programs.
- **Occupational Therapy (OT)** Occupational therapists evaluate, plan, and implement occupational therapy treatment for students receiving special education on an individual basis or in small group settings.
- **Assistive Technology (AT)** Assistive Technology Specialist evaluate, plan, and provide AT support to students receiving special education on an individual basis or in small group settings.
- **Itinerant Vision Impaired (VI)** The Vision Impaired Program provides services to students with visual impairments and provides materials in Braille and large print to a wide variety of students who are either blind or visually impaired.
- **Itinerant DHH** This program provides services to students who are deaf or hearing impaired. The program focuses on the development of language, communication, academic, and social skills.
- **Adapted Physical Education (APE)** This program provides services to students who are unable to benefit from general or specially designed physical education.
- **Educationally Related Mental Health Services (ERMHS)** This program provides psychological and clinical related services which address students' social-emotional and behavioral needs and includes individual and group counseling, parent counseling, social work services, psychological services, and behavior intervention services. Services are available to students served under IDEA.

Site Based Programs

Site based programs are an integral part of the continuum of services and provide a level of service to students to keep them in or near their DOR. MCSOS offers two site based programs to LEAs within the SELPA.

Norman Gould Educational Center serves student with the most severe disabilities who cannot access educational benefit on an integrated site.

Apollo Day Treatment Program serves students requiring educationally related mental health services (ERMHS) who cannot access services successfully on an integrated site.

DISTRIBUTION OF FEDERAL AND STATE FUNDS

All federal and state special education funds shall be allocated to the SELPA Administrative Unit for distribution to local education agencies according to an approved Special Education Funding Allocation Plan.

Responsibilities for Distribution of Federal and State Funds

The governing boards of the local education agencies participating in the SELPA have agreed that students with disabilities will be provided with appropriate special education services. The SC has been designated the authority to determine the distribution of all federal and state special education funds in order for local education agencies to carry out their responsibilities. The AU shall be responsible for the

distribution of the funds according to an approved Special Education Funding Allocation Plan. The AU shall develop the Annual Budget Plan for review and approval by the SC. The SC shall make the Annual Budget Plan available to the LEA members and the Community Advisory Committee upon approval.

Monitoring the Use of Special Education Funds

Funds allocated for special education programs shall be used for services to students with disabilities. Federal funds under Part B of IDEA may be used for:

- The costs of special education and related services and supplementary aids and services provided in a regular class or other education-related setting to a child with a disability in accordance with the IEP for the child, even if one or more non-disabled children benefit from these services.
- To develop and implement a fully integrated and coordinated services system. The SELPA Administrator and the AU shall, through the annual budget process, be responsible for the monitoring and appropriate use of all funds allocated for special education programs. The SC through the Annual Budget Plan process shall make final determination and action regarding the appropriate use of special education funds.

Preparation of Program and Fiscal Reports

The SELPA Administrator, with the assistance of the AU, shall be responsible to prepare all program and fiscal reports required of the SELPA by the State.

Amendments to the Permanent Section of the Local Plan

The Superintendents' Council may change or adopt amendments to the permanent portion of the Local Plan. Amendments approved in this manner shall become permanent upon subsequent approval by all local education agency governing boards and the State Board of Education.

Amendments to the Annual Service and Budget Plans

The governing boards of the local education agencies agree to designate authority to the SC to approve the SELPA-wide annual service and budget plans and any subsequent modifications.

COMMUNITY ADVISORY COMMITTEE (CAC)

The name of the organization shall be the Madera-Mariposa Community Advisory Committee (CAC) for the SELPA. Members are nominated to the CAC through their LEA or through the CAC Membership Committee. The majority of members shall be parents of students in general education and SE. The CAC shall serve in an advisory capacity to the SELPA Administration, and the SC.

The responsibilities of the CAC shall include, but not be limited to:

- Advising in the development and review of the Local Plan. The CAC shall have a minimum of thirty days to review the Local Plan prior to submission to the State Board of Education.
- Supporting activities on behalf of individuals with exceptional needs.
- Assisting in parent education and in recruiting parents and other volunteers to the CAC.
- Advising in the development of SELPA policies, procedures, handbooks, and forms, as appropriate.
- Assisting in parent awareness of the importance of regular school attendance.

DISPUTE RESOLUTION

In the event of a disagreement among LEAs, and/or the AU and the SELPA regarding the distribution of funding, responsibility for service provisions and any other governance activities specified in the Local Plan, it is the intent of the SC that issues be resolved at the lowest level possible in the governance structure outlined in the Local Plan. The SC is considered to be the board of last resort. The decision of the SC shall be final.

EARLY CHILDHOOD SPECIAL EDUCATION (ECSE)

Birth to Three-Years Early Intervention Services

Students' birth to age three are served through the Regional Early Start program. Early Start is a collaborative program which provides early intervention services to infants and toddlers from birth until age three who have a disability. Services are provided by ECSE Teachers, therapists, and others who have knowledge of working with very young children with disabilities and their families. Children in this program are evaluated and have an Individualized Family Service Plan (IFSP) developed to address their needs and describe the services that they will receive. Services are provided in a natural environment which may include the home, at Gould Educational Center, and other environments suitable for that child and his or her family.

Age Three to Five-Years

The Madera-Mariposa SELPA LEAs and MCSOS Regional Programs operate programs for children ages 3-5 who have been identified as having a disability and are in need of special education services. These services may range from speech and language therapy for students with moderate delays to Special Day Classes (SDC) for students with greater special educational needs. Services are provided at locations that help ensure children are near their school of DOR and have access to children without disabilities.

Part C Transition from Early Intervention Services

Part C Transition procedures are addressed in the Madera-Mariposa Policy and Procedures Manual.

EVIDENCE OF PARTICIPATION IN THE DEVELOPMENT OF THE LOCAL PLAN

The membership of each of the groups involved in the development/review of the Local Plan is as follows:

- Superintendents' Study Group October 5, 2016
- Program Administrators' Council October 19, 2016
- Community Advisory Committee October 25, 2016
- Superintendents' Council November 2, 2016



CALIFORNIA
DEPARTMENT OF
EDUCATION

TOM TORLAKSON
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

March 27, 2017

Diane Gischel-Lingo, Director
Madera-Mariposa County Special Education Local Plan Area, 2000
1105 South Madera Avenue
Madera, CA 93637

Dear Diane Gischel-Lingo:

The purpose of this letter is to inform you that the Madera-Mariposa County Special Education Local Plan Area (SELPA) amendment to add charter local educational agency (LEA) members has been reviewed and approved. Effective immediately, the following charter schools are considered LEA members of the Madera-Mariposa County SELPA:

- Charter number 0676: Ezequiel Tafoya Alvarado Academy (20-65243-0107938)
- Charter number 0507: Sherman Thomas Charter (20-65243-0100016)
- Charter number 1058: Sherman Thomas Charter High (20-65243-0118950)
- Charter number 1780: Sherman Thomas STEM Academy (20-65243-0134510)
- Charter number 0063: Mountain Home Charter (20-76414-6110076)
- Charter number 0479: Glacier High School Charter (20-76414-2030237)

As you know, this approval does not set aside any federal or state laws or regulations. A SELPA may choose to amend their special education local plan any time a change is deemed necessary due to local changes, new legislative requirements, a new interpretation by the courts, or an official finding of noncompliance with federal law, state law, or regulations determined by the California Department of Education (CDE).

A copy of your complete special education local plan, including policies and procedures, must be held on file at each participating LEA and be accessible to any interested person.

If you have any questions regarding this subject, please contact your Focused Monitoring and Technical Assistance (FMTA) Regional Consultant. For a list of current regional consultant assignments, please see the CDE FMTA Contact Information Web page at <http://www.cde.ca.gov/sp/se/ga/fmtacncnt.asp>.

Sincerely,

A handwritten signature in black ink, appearing to read "Kristin Wright".

Kristin Wright, Director
Special Education Division

KW:as



**Madera-Mariposa
Special Education Local Plan Area**