

Local Plan – Proposed Revisions to Section B Governance: 2024-25



EL DORADO
CHARTERSELPA
Special Education Local Plan Area

Special Education Local Plan Area – Local Plan Requirements

Section 1 – Proposed Revisions with Track Changes

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

The El Dorado County Charter SELPA (Charter SELPA) is composed of local educational agency (LEA) charter schools that have chosen to be their own LEA for special education purposes and may be (LEAs) located inside and outside the geographic boundaries of El Dorado County. The El Dorado County Charter SELPA has designated the El Dorado County Office of Education as the Responsible Local Agency/Administrative Unit (RLA/AU) and the County Superintendent of Schools as the Superintendent of the RLA/AU. It is the intent of the El Dorado County Charter SELPA to provide options for charter schools in terms of SELPA membership. While it is always preferable for a charter school to participate with their geographic SELPA, the Charter SELPA has been developed to allow for a viable alternative for SELPA membership within the State of California. Charter LEA members are located in most of the 58 counties within the State of California and reside in both urban and rural areas with the concentration of the LEAs in the following regions: Bay area, Los Angeles area, San Diego area, San Bernardino area, Orange County, Sacramento area, and Butte County. Special education services and programs are provided at the Charter LEA. The Charter LEAs cooperate with the county office in which they reside and/or authorizer (Local School District or COE) through local agreements and partnerships.

Section 1 – Clean Copy with Proposed Changes Accepted

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

The El Dorado County Charter SELPA (Charter SELPA) is composed of local education agency (LEA) charter schools that have chosen to be their own LEA for special education purposes and may be located inside and outside the geographic boundaries of El Dorado County. The El Dorado County Charter SELPA has designated the El Dorado County Office of Education as the Responsible Local Agency/Administrative Unit (RLA/AU) and the County Superintendent of Schools as the Superintendent of the RLA/AU. It is the intent of the El Dorado County Charter SELPA to provide options for charter schools in terms of SELPA membership. While it is always preferable for a charter school to participate with their geographic SELPA, the Charter SELPA has been developed to allow for a viable alternative for SELPA membership within the State of California. Charter LEA members are located in most of the 58 counties within the State of California and reside in both urban and rural areas with the concentration of the LEAs in the following regions: Bay area, Los Angeles area, San Diego area, San Bernardino area, Orange County, Sacramento area, and Butte County. Special education services and programs are provided at the Charter LEA. The Charter LEAs cooperate with the county office in which they reside and/or authorizer (Local School District or COE) through local agreements and partnerships.

Section 2 - Proposed Revisions with Track Changes

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)]

Upon entry into the Charter SELPA, the governing board for each charter LEA ~~charter~~ shall approve the Agreement for Participation and the Local Plan for Special Education. The Charter SELPA Local Plan is approved by the SELPA governing board (CEO Council) with review from the County Superintendent of Schools for El Dorado County. Each charter LEA member has one vote. Organization partners that operate more than one charter school, may have a single representative for all schools operated, but such a representative shall have a number of votes equal to the number of charter LEAs (CDS) represented.

~~Amendments to the Local Plan to revise LEA membership shall be approved through the process as identified in the Charter SELPA policies.~~

The CEO Council is the governing body that consist of a key leader i.e. CEO, Executive Director, Director from each of the participating charter LEAs or their identified designee. The CEO Council will hold ~~ss~~ the required public hearings and approves the Local Plan, Annual Service and Budget Plans, and SELPA policies. ~~the Annual Budget Plan.~~
Amendments to the Local Plan to revise LEA membership shall be approved through the process as identified in the Charter SELPA policies.

As described within the Local Plan and adopted policies of the Charter SELPA, the Boards of Education for each charter LEA delegates the ongoing policy-making process, the Allocation Plan process, and administrative procedures for carrying out that responsibility to the governance structure of the Charter SELPA.

The El Dorado County Office of Education is the Responsible Local Agency/Administrative Unit (RLA/AU) and the County Superintendent of Schools is the Superintendent of the RLA/AU that oversees the administration of the Charter SELPA. The Executive Director of the Charter SELPA is identified as the designee for the County Superintendent for administrative duties of the SELPA.

Section 2 – Clean Copy with Proposed Changes Accepted

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)]

Upon entry into the Charter SELPA, the governing board for each charter LEA shall approve the Agreement for Participation and the Local Plan for Special Education. The Charter SELPA Local Plan is approved by the SELPA governing board (CEO Council) with review from the County Superintendent of Schools for El Dorado County. Each charter LEA member has one vote. Organization partners that operate more than one charter school, may have a single representative for all schools operated, but such a representative shall have a number of votes equal to the number of charter LEAs (CDS) represented.

The CEO Council is the governing body that consist of a key leader i.e. CEO, Executive Director, Director from each of the participating charter LEAs or their identified designee. The CEO Council holds the required public hearings and approves the Local Plan, Annual Service and Budget Plans, and SELPA policies.

Amendments to the Local Plan to revise LEA membership shall be approved through the process as identified in the Charter SELPA policies.

As described within the Local Plan and adopted policies of the Charter SELPA, the Boards of Education for each charter LEA delegates the ongoing policy-making process, the Allocation Plan process, and administrative procedures for carrying out that responsibility to the governance structure of the Charter SELPA.

The El Dorado County Office of Education is the Responsible Local Agency/Administrative Unit (RLA/AU) and the County Superintendent of Schools is the Superintendent of the RLA/AU that oversees the administration of the Charter SELPA. The Executive Director of the Charter SELPA is identified as the designee for the County Superintendent for administrative duties of the SELPA.

Section 3 - Proposed Revisions with Track Changes

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)]

The Charter SELPA CEO Council membership consists of the CEO or designee of each charter LEA member. Each charter LEA member has one vote. Organization partners that operate more than one charter school, may have a single representative for all schools operated, but such a representative shall have a number of votes equal to the number of charter LEAs represented.

Charter SELPA CEO Council meetings are subject to California Open Meeting laws, specifically the Brown Act (Government Code 54950-54963), which requires that CEO Council members conduct business at properly noticed and agendized public meetings.

A majority of the LEAs present at a regularly scheduled and posted CEO Council meeting shall constitute a quorum.

The Charter SELPA CEO Council will meet regularly with the El Dorado County Superintendent of Schools and/or designee i.e. SELPA Executive Director to direct and supervise the implementation of the Local Plan. The Council has exclusive authority to ~~make and take all reasonable and appropriate steps to implement all decisions which may have a material effect on any and/or all Charter SELPA policies, practices, operations, organization, services, functions, and any other purpose related to the purpose for which the Charter SELPA is established~~ approve the El Dorado County Charter SELPA Local Plan, the Charter SELPA Allocation Plan and Charter SELPA Policies and Administrative Regulations. A minimum of two meetings per year will be held.

~~The Charter SELPA CEO Council is responsible to approve Charter SELPA policies and administrative regulations.~~

The Charter SELPA CEO Council is responsible to approve the Allocation Plan, which is the framework for distribution of federal and state funds within the Charter SELPA.

Material changes to the Local Plan, other than for membership changes, shall be approved by the Charter SELPA CEO Council and reviewed by the El Dorado County Superintendent of Schools. Any changes to the local plan, allocation plan, policies, administrative regulations are vetted through the Executive Committee (ad hoc) that is comprised of members of the CEO council with final drafts for review and approval brought forth to the CEO Council. The SELPA Administration is responsible for implementing processes and procedures to ensure what is identified in SELPA policies and administrative regulations, the Local Plan, and Allocation plan are executed.

Section 3 – Clean Copy with Proposed Changes Accepted

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)]

The Charter SELPA CEO Council membership consists of the CEO or designee of each charter LEA member. Each charter LEA member has one vote. Organization partners that operate more than one charter school, may have a single representative for all schools operated, but such a representative shall have a number of votes equal to the number of charter LEAs represented.

Charter SELPA CEO Council meetings are subject to California Open Meeting laws, specifically the Brown Act (Government Code 54950-54963), which requires that CEO Council members conduct business at properly noticed and agendized public meetings.

A majority of the LEAs present at a regularly scheduled and posted CEO Council meeting shall constitute a quorum.

The Charter SELPA CEO Council will meet regularly with the El Dorado County Superintendent of Schools and/or designee i.e. SELPA Executive Director to direct and supervise the implementation of the Local Plan. The Council has exclusive authority to approve the El Dorado County Charter SELPA Local Plan, the Charter SELPA Allocation Plan and Charter SELPA Policies and Administrative Regulations. A minimum of two meetings per year will be held.

The Charter SELPA CEO Council is responsible to approve the Allocation Plan, which is the framework for distribution of federal and state funds within the Charter SELPA.

Material changes to the Local Plan, other than for membership changes, shall be approved by the Charter SELPA CEO Council and reviewed by the El Dorado County Superintendent of Schools. Any changes to the local plan, allocation plan, policies, administrative regulations are vetted through the Executive Committee (ad hoc) that is comprised of members of the CEO council with final drafts for review and approval brought forth to the CEO Council. The SELPA Administration is responsible for implementing processes and procedures to ensure what is identified in SELPA policies and administrative regulations, the Local Plan, and Allocation plan are executed.

Section 4 - Proposed Revisions with Track Changes

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]

The El Dorado County Charter SELPA has designated the El Dorado County Office of Education as the Responsible Local Agency/Administrative Unit (RLA/AU) and the County Superintendent of Schools as the Superintendent of the RLA/AU. The Charter SELPA administrative unit is employed and under the supervision of the County Superintendent of Schools who ensures that the SELPA Executive Director coordinates and implements the local plan, allocation plan, and approved policies and procedures. The Executive Director is responsible for the day to day operation of the SELPA team that include Coordinators, Program Specialists, Data and Business team, and administrative support staff. Operations include technical assistance, professional development, governance meetings, informational meetings, and all State and Federal reporting requirements.~~under the supervision of the County Superintendent of Schools.~~

Section 4 – Clean Copy with Proposed Changes Accepted

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]

The El Dorado County Charter SELPA has designated the El Dorado County Office of Education as the Responsible Local Agency/Administrative Unit (RLA/AU) and the County Superintendent of Schools as the Superintendent of the RLA/AU. The Charter SELPA administrative unit is employed and under the supervision of the County Superintendent of Schools who ensures that the SELPA Executive Director coordinates and implements the local plan, allocation plan, and approved policies and procedures. The Executive Director is responsible for the day to day operation of the SELPA team that include Coordinators, Program Specialists, Data and Business team, and administrative support staff. Operations include technical assistance, professional development, governance meetings, informational meetings, and all State and Federal reporting requirements.`

Section 5 – No Track Changes

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.

Section 6 - Proposed Revisions with Track Changes

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 Community Advisory Committee shall be composed of parents of individuals with exceptional needs, enrolled in public or private schools, parents of other pupils enrolled in school, pupils and adults with disabilities, regular education teachers, special education teachers and other school personnel, representatives of other public and private agencies, and persons concerned with the needs of individuals with exceptional needs. Terms of CAC participation are outlined in the CAC bylaws that state: Per California Education Code § 56192, The El Dorado Charter SELPA Community Advisory Committee may be composed of:

a) Parents of individuals with exceptional needs enrolled in the member LEA

b) Parents of other pupils enrolled in the member LEA

c) General education teachers

d) Special education teachers and other school personnel

e) Representatives of other public and private agencies

f) Individuals with exceptional needs and persons concerned with the needs of individuals with exceptional needs (e.g. community advocates, service agencies, etc.)

The majority of such committee shall be composed of parents of pupils enrolled in schools who are members of the El Dorado Charter SELPA, and at least a majority of such parents shall be parents of individuals with exceptional needs (EDC § 56193). It is the intent of the El Dorado Charter SELPA Community Advisory Committee to maintain a membership with broad representation of all disabilities within the El Dorado Charter SELPA. The SELPA Director and/or designee shall serve as an ex-officio member of the Community Advisory Committee. 4.2 The El Dorado Charter SELPA Community Advisory Committee will encourage all parties (as noted in 4.1) to select and approve representatives to the Community Advisory Committee with the following expectations: a) The individual LEA member representatives of the Community Advisory Committee will be appointed by the respective members' LEA Board of Trustees. b) Community Advisory Committee members shall be appointed for at least two years and be annually staggered to ensure that no more than one half of the membership serves the first year of the term in any one year (EDC § 56191). c) At least the majority of the representatives from these shall be parents of individuals with exceptional needs, ~~and include the provision of the CAC to act as an advisory body regarding the review of the Local Plan.~~ The review of the local plan by the CAC shall take place during the regular cycle of updates or any material changes that may take place in between a regular cycle to the local plan and the CAC will have at least 30 days to review and provide input.

Because of the geographic diversity within the El Dorado County Charter SELPA, meetings may take place through teleconference. For purposes of this section, "teleconference" means a meeting where the members are in different-separate locations, connected by electronic means, through either audio and video, ~~or both~~.

Section 6 – Clean Copy with Proposed Changes Accepted

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 Community Advisory Committee shall be composed of parents of individuals with exceptional needs, enrolled in public or private schools, parents of other pupils enrolled in school, pupils and adults with disabilities, regular education teachers, special education teachers and other school personnel, representatives of other public and private agencies, and persons concerned with the needs of individuals with exceptional needs. Terms of CAC participation are outlined in the CAC bylaws that state: Per California Education Code § 56192, The El Dorado Charter SELPA Community Advisory Committee may be composed of:

- a) Parents of individuals with exceptional needs enrolled in the member LEA
- b) Parents of other pupils enrolled in the member LEA
- c) General education teachers
- d) Special education teachers and other school personnel
- e) Representatives of other public and private agencies
- f) Individuals with exceptional needs and persons concerned with the needs of individuals with exceptional needs (e.g. community advocates, service agencies, etc.)

The majority of such committee shall be composed of parents of pupils enrolled in schools who are members of the El Dorado Charter SELPA, and at least a majority of such parents shall be parents of individuals with exceptional needs (EDC § 56193). It is the intent of the El Dorado Charter SELPA Community Advisory Committee to maintain a membership with broad representation of all disabilities within the El Dorado Charter SELPA. The SELPA Director and/or designee shall serve as an ex-officio member of the Community Advisory Committee. 4.2 The El Dorado Charter SELPA Community Advisory Committee will encourage all parties (as noted in 4.1) to select and approve representatives to the Community Advisory Committee with the following expectations: a) The individual LEA member representatives of the Community Advisory Committee will be appointed by the respective members' LEA Board of Trustees. b) Community Advisory Committee members shall be appointed for at least two years and be annually staggered to ensure that no more than one half of the membership serves the first year of the term in any one year (EDC § 56191). c) At least the majority of the representatives from these shall be parents of individuals with exceptional needs. The review of the local plan by the CAC shall take place during the regular cycle of updates or any material changes that may take place in between a regular cycle to the local plan and the CAC will have at least 30 days to review and provide input.

Because of the geographic diversity within the El Dorado County Charter SELPA, meetings may take place through teleconference. For purposes of this section, "teleconference" means a meeting where the members are in separate locations, connected by electronic means, through audio and video..

Section 7 - Proposed Revisions with Track Changes

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 purpose of the Community Advisory Committee shall be to act in support of individuals with exceptional needs by representing broad interests in the community and promoting maximum interaction of parents and community members with the ~~the~~ LEA charter schools in accordance with the Education Code and the El Dorado County Charter SELPA Local Plan. Per the CAC bylaws, the Community Advisory Committee may be composed of parents of individuals with exceptional needs, enrolled in public or private schools, parents of other pupils enrolled in school, pupils and adults with disabilities, regular education teachers, special education teachers and other school personnel, representatives of other public and private agencies, and persons concerned with the needs of individuals with exceptional needs pursuant to EC Section 56193. Through the regularly scheduled CAC meetings (no less than three a year), the SELPA will ensure that the development, amendment, and review of the Local Plan is conducted pursuant to EC sections 56205(a)(12)(E) and 56194. The CAC will be given at least 30 days to conduct a review. The SELPA shall review and consider comments from the CAC pursuant to EC section 56205(b)(7).

The Charter SELPA Executive Committee (ad hoc) that is comprised of CEO Council representatives that represent general education teachers, special education teachers, and administrators review any edits/revisions of the local plan and provides feedback prior to a final draft being presented to the CEO Council for approval.

Section 7 – Clean Copy with Proposed Track Changes Accepted

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 purpose of the Community Advisory Committee shall be to act in support of individuals with exceptional needs by representing broad interests in the community and promoting maximum interaction of parents and community members with the LEA charter schools in accordance with the Education Code and the El Dorado County Charter SELPA Local Plan. Per the CAC bylaws, the Community Advisory Committee may be composed of parents of individuals with exceptional needs, enrolled in public or private schools, parents of other pupils enrolled in school, pupils and adults with disabilities, regular education teachers, special education teachers and other school personnel, representatives of other public and private agencies, and persons concerned with the needs of individuals with exceptional needs pursuant to EC Section 56193. Through the regularly scheduled CAC meetings (no less than three a year), the SELPA will ensure that the development, amendment, and review of the Local Plan is conducted pursuant to EC sections 56205(a)(12)(E) and 56194. The CAC will be given at least 30 days to conduct a review. The SELPA shall review and consider comments from the CAC pursuant to EC section 56205(b)(7).

The Charter SELPA Executive Committee (ad hoc) that is comprised of CEO Council representatives that represent general education teachers, special education teachers, and administrators review any edits/revisions of the local plan and provides feedback prior to a final draft being presented to the CEO Council for approval.

Section 8 - Proposed Revisions with Track Changes

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]

The El Dorado County Charter SELPA has designated the El Dorado County Office of Education as the Responsible Local Agency/Administrative Unit (RLA/AU) and the County Superintendent of Schools as the Superintendent of the RLA/AU. The Superintendent oversees the SELPA administrative staff in the receipt and distribution of funds, provision of administrative support, and the coordination and implementation of the SELPA Allocation and Local Plans. [The SELPA administrative unit has the primary responsibility for the following services and activities:](#)

1. Maintain SELPA policies and procedures for referring and placing individuals with exceptional needs who are enrolled in the LEAs, including the methods and procedures for communication with the parents and/or guardians of the students according to SELPA Local Plan, Policies and Procedures.
2. Organize and maintain the administrative team to monitor the operations of the local plan and make recommendations for necessary revisions.
3. Ensure the organization and maintenance of the Special Education Community Advisory Committee (CAC) as part of the responsibility of the RLA to coordinate the implementation of the plan pursuant to Education Code Section 56030. Provide for the attendance of designated members of the RLA's staff at all regularly scheduled CAC meetings.
4. Coordinate community resources with those provided by LEAs and SELPA, including providing such contractual agreements as may be required.
5. Coordinate the State special education accountability processes.
6. Provide alternative dispute resolution support and services.
7. Provide regular personnel development training sessions for LEA staff responsible for administering or delivering special education programs and services.
8. Provide reasonable and appropriate technical assistance and information to the LEA upon request from LEA administration, including but not limited to:
 - Evidence-based practices.
 - Program development and improvement.
 - Individual cases.
 - State complaints.
 - Requests for due process mediation and hearing.
 - Appropriate programs and services for specific pupils.
 - Other services reasonable and necessary to the administration and coordination of the Local Plan.

The RLA/AU has primary responsibility, with the support of the SELPA administrative unit, for the following activities and services:

- Governance
 - Organize and maintain the governance structure of the local plan and make recommendations for necessary revisions, including, but not limited to, the local plan, allocation plan, and policies, and administrative regulations.
- Data Reporting
 - Establish and maintain methods, timelines, and forms to submit required federal, state and SELPA reports.
 - Provide the method and forms to enable the LEAs to report to the SELPA on student enrollment and program expenditures. Establish and maintain a pupil information system.
- Public Meetings
 - Schedule public meetings for purposes of governance activities and adopting the Local Plan that include the Annual Service Plan and Budget Plan.

- Fiscal Responsibilities

- Receive, compile, and submit required enrollment reports and compute all special education apportionments; receive data from LEAs to compile and submit budgets for the programs and monitor the fiscal aspects of the programs conducted, and receive the special education apportionments as authorized by applicable law.
- Receive, distribute, and oversee the expenditure of special education funds in accordance with federal and state regulations and the SELPA Allocation Plan.

- Administrative

- Serve as the employing agency for personnel who have responsibilities throughout the local plan area, including but not limited to the SELPA administrator for the local plan area, program specialists, and classified employees of the SELPA. Employment of such personnel will be in accordance with personnel policies and practices of the RLA.
- Establish and maintain those programs and services requested through the governance structure and agreed to by the County Superintendent.
- Receive special education funding in accordance with the Allocation and Budget Plan and in accordance with the funding generated by the RLA computations for programs/services maintained by the RLA.
- Perform other services necessary to the administration and coordination of the Local Plan.

Section 8 – Clean Copy with Proposed Track Changes Accepted

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]

The El Dorado County Charter SELPA has designated the El Dorado County Office of Education as the Responsible Local Agency/Administrative Unit (RLA/AU) and the County Superintendent of Schools as the Superintendent of the RLA/AU. The Superintendent oversees the SELPA administrative staff in the receipt and distribution of funds, provision of administrative support, and the coordination and implementation of the SELPA Allocation and Local Plan. The SELPA administrative unit has the primary responsibility for the following services and activities:

1. Maintain SELPA policies and procedures for referring and placing individuals with exceptional needs who are enrolled in the LEAs, including the methods and procedures for communication with the parents and/or guardians of the students according to SELPA Local Plan, Policies and Procedures.
2. Organize and maintain the administrative team to monitor the operations of the local plan and make recommendations for necessary revisions.
3. Ensure the organization and maintenance of the Special Education Community Advisory Committee (CAC) as part of the responsibility of the RLA to coordinate the implementation of the plan pursuant to Education Code Section 56030. Provide for the attendance of designated members of the RLA's staff at all regularly scheduled CAC meetings.
4. Coordinate community resources with those provided by LEAs and SELPA, including providing such contractual agreements as may be required.
5. Coordinate the State special education accountability processes.
6. Provide alternative dispute resolution support and services.
7. Provide regular personnel development training sessions for LEA staff responsible for administering or delivering special education programs and services.
8. Provide reasonable and appropriate technical assistance and information to the LEA upon request from LEA administration, including but not limited to:
 - Evidence-based practices.
 - Program development and improvement.
 - Individual cases.
 - State complaints.
 - Requests for due process mediation and hearing.
 - Appropriate programs and services for specific pupils.
 - Other services reasonable and necessary to the administration and coordination of the Local Plan.

The RLA/AU has primary responsibility, with the support of the SELPA administrative unit, for the following activities and services:

- Governance
 - Organize and maintain the governance structure of the local plan and make recommendations for necessary revisions, including, but not limited to, the local plan, allocation plan, policies, and administrative regulations.
- Data Reporting
 - Establish and maintain methods, timelines, and forms to submit required federal, state and SELPA reports.
 - Provide the method and forms to enable the LEAs to report to the SELPA on student enrollment and program expenditures. Establish and maintain a pupil information system.
- Public Meetings
 - Schedule public meetings for purposes of governance activities and adopting the Local Plan that include the Annual Service Plan and Budget Plan.
- Fiscal Responsibilities
 - Receive, compile, and submit required enrollment reports and compute all special education apportionments; receive data from LEAs to compile and submit budgets for the programs and monitor the fiscal aspects of the programs conducted, and receive the special education apportionments as authorized by applicable law.
 - Receive, distribute, and oversee the expenditure of special education funds in accordance with federal and state regulations and the SELPA Allocation Plan.
- Administrative
 - Serve as the employing agency for personnel who have responsibilities throughout the local plan area, including but not limited to the SELPA administrator for the local plan area, program specialists, and classified employees of the SELPA. Employment of such personnel will be in accordance with personnel policies and practices of the RLA.
 - Establish and maintain those programs and services requested through the governance structure and agreed to by the County Superintendent.
 - Receive special education funding in accordance with the Allocation and Budget Plan and in accordance with the funding generated by the RLA computations for programs/services maintained by the RLA.

Perform other services necessary to the administration and coordination of the Local Plan.

Section 9 - Proposed Revisions with Track Changes

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)]

As members of the El Dorado County Charter ~~Special Education Local Plan Area (SELPA)~~, each charter (as identified by the CDS (County, District, School) code issued by the State Board of Education) is considered an LEA (Local Education Agency) for purposes of special education. Each charter school, as their own LEA for special education accountability is responsible for the students within their jurisdiction including any and all contractual agreements. The SELPA, may at times enter into inter-SELPA agreements on behalf of the LEA with the understanding that the LEA is the entity responsible for any and all fiscal obligations. There are no additional contractual agreements that supersede education code.

Section 9 – Clean Copy with Proposed Track Changes Accepted

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)]

As members of the El Dorado County Charter SELPA, each charter (as identified by the CDS (County, District, School) code issued by the State Board of Education) is considered an LEA (Local Education Agency) for purposes of special education. Each charter school, as their own LEA for special education accountability is responsible for the students within their jurisdiction including any and all contractual agreements. The SELPA, may at times enter into inter-SELPA agreements on behalf of the LEA with the understanding that the LEA is the entity responsible for any and all fiscal obligations. There are no additional contractual agreements that supersede education code.

Section 10 - Proposed Revisions with Track Changes

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 Charter SELPA CEO Council membership consists of the CEO or designee of each charter LEA member. Each charter LEA member has one vote. Organization partners that operate more than one charter school may have a single representative for all schools operated, but such a representative shall have a number of votes equal to the number of charter LEAs represented.

Charter SELPA CEO Council meetings are subject to California Open Meeting laws, specifically, the Brown Act (Government Code 54950-54963), which requires that CEO Council members conduct business at properly noticed and agendaized public meetings.

A majority of the LEAs present at a regularly scheduled and posted CEO Council meeting shall constitute a quorum.

The Charter SELPA CEO Council will meet regularly with the El Dorado County Superintendent of Schools and/or designee i.e. SELPA Executive Director to direct and supervise the implementation of the Local Plan. The Council has exclusive authority to ~~make and take all reasonable and appropriate steps to implement all decisions which may have a material effect on any and/or all Charter SELPA policies, practices, operations, organization, services, functions, and any other purpose related to the purpose for which the Charter SELPA is established.~~ approve the El Dorado County Charter SELPA Local Plan, the Charter SELPA Allocation Plan and Charter SELPA Policies and Administrative Regulations. A minimum of two meetings per year will be held.

~~The Charter SELPA CEO Council is responsible for approving Charter SELPA policies and administrative regulations.~~

The Charter SELPA CEO Council is responsible for approving the Allocation Plan, which is the framework for distribution of federal and state funds within the Charter SELPA.

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)]

The El Dorado County Charter SELPA has designated the El Dorado County Office of Education as the Responsible Local Agency/Administrative Unit (RLA/AU) and the County Superintendent of Schools as the Superintendent of the RLA/AU. The Charter SELPA administrative unit coordinates and implements the local plan under the supervision of the County Superintendent of Schools. Each LEA CEO representative is ~~responsible per~~ responsible per the SELPA

Participation Agreement to locally approve the local plan through their respective LEA Board of Directors and for the ~~review and~~ implementation of the local plan.

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)]

Upon entry into the Charter SELPA, the governing board for each LEA charter shall approve the Agreement for Participation and the Local Plan for Special Education. The Charter SELPA Local Plan is approved by the CEO Council and reviewed by the El Dorado County Superintendent of Schools. Each Charter LEA and the COE as the RLA/AU is responsible for the coordination of the administration of the local plan and. ~~As~~ adopted policies/administrative regulations of the Charter SELPA. ~~The~~ LEAs Boards of Education delegates the ongoing policy-making process, the Allocation Plan process, and administrative procedures for carrying out that responsibility to the governance structure of the Charter SELPA.

LEAs are responsible for the coordination of special education services and programs within their LEA and for the implementation of the Local Plan. Placement in special education programs or services occurs only when the nature or severity of the disability is such that the child's education in general education, even with the use of accommodations and/or modifications of the general education program and/or the use of supplementary aids or programs, cannot be achieved satisfactorily. Students with disabilities are served in their LEA whenever possible. However, it is recognized that some students have unique educational needs requiring that services be provided by other LEAs or NPA/NPS through local contractual agreements. LEA responsibilities include:

- Coordinating and conducting child find activities;
- Developing and providing programs and services for all eligible students for whom the LEA is responsible in accordance with state or federal laws and regulations;
- Selecting, compensating, and determining the duties of the special education teachers, instructional aides, and other personnel as required to conduct the programs and services specified in the local plan, and in compliance with state and federal mandates;
- Operating all special education programs and services in accordance with state and federal laws and regulations, and in conformance with the local plan;
- Organizing and administering the activities of the IEP teams, including the selection of the LEA staff and who will serve as members of the IEP team in conformance with Education Code Section 56341 and in compliance with the local plan;
- Providing facilities as required to house the programs conducted by the LEA;
- Providing for the acquisition and distribution of supplies and equipment for the programs conducted by the LEA;
- Providing and/or arranging for such transportation services as may be required to provide the special education programs specified that are conducted by the LEA;
- Cooperating in the provision of curricula for the classes and programs operated by the

contracting LEA or NPS;

- Cooperating in the evaluation of the programs as specified in the local plan, with the contracting LEA or NPS;
- Cooperating in the development of the procedures and methods for communicating with the parents and/or legal guardians of the individuals served in conformance with the provisions of the local plan with the contracting LEA or NPS;
- Providing for the continuous review of placements and the assessment procedures employed to ensure their effectiveness and applicability and ensure the continued implementation and compliance with eligibility criteria;
- Providing for the inclusion of individuals educated under the local plan into the general education programs and evaluating the results of such inclusion according to specifications of the Local Plan;
- Conducting the review of individual placements requested by the parents and/or legal guardians of the individual in accordance with the local plan;
- Collecting and completing state and federal report requirements, including California Longitudinal Pupil Achievement Data System (CALPADS reports and compliance reviews), and reports on student enrollment, program expenditures, and program evaluation;
- Responding to compliance and due process complaints and implementing the decisions of compliance investigations or due process hearings;
- Utilizing the same data management information system, forms, procedures, and guidelines as all other ~~charter schools districts~~ within the SELPA;
- Participating in state/district-wide assessments;
- Designating a representative for the LEA to serve on the CAC, in accordance with Education Code Sections 56192-56193 and pursuant to the procedures established in the local plan;
- Designating the LEA ~~CEO~~/Superintendent to represent the LEA on the CEO Council to supervise and direct the implementation of the local plan;
- Receiving special education funding in accordance with the Allocation and Budget Plan and in accordance with the funding generated by the specific LEA computation completed, for programs maintained by the LEA.

In addition to the responsibilities outlined for the SELPA, the RLA/AU, and the LEAs participating in the Local Plan, an Agreement for Participation has been approved by the local LEA BOD and CEO Council. ~~I would suggest that we include the Agreement for Participation as an appendix to the Local Plan and reference it here.~~

Section 10 – Clean Copy with Proposed Changes Accepted

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 Charter SELPA CEO Council membership consists of the CEO or designee of each charter LEA member. Each charter LEA member has one vote. Organization partners that operate more than one charter school may have a single representative for all schools operated, but such a representative shall have a number of votes equal to the number of charter LEAs represented.

Charter SELPA CEO Council meetings are subject to California Open Meeting laws, specifically, the Brown Act (Government Code 54950-54963), which requires that CEO Council members conduct business at properly noticed and agendaized public meetings.

A majority of the LEAs present at a regularly scheduled and posted CEO Council meeting shall constitute a quorum.

The Charter SELPA CEO Council will meet regularly with the El Dorado County Superintendent of Schools and/or designee i.e. SELPA Executive Director to direct and supervise the implementation of the Local Plan. The Council has exclusive authority to approve the El Dorado County Charter SELPA Local Plan, the Charter SELPA Allocation Plan and Charter SELPA Policies and Administrative Regulations. A minimum of two meetings per year will be held.

The Charter SELPA CEO Council is responsible for approving the Allocation Plan, which is the framework for distribution of federal and state funds within the Charter SELPA.

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)]

The El Dorado County Charter SELPA has designated the El Dorado County Office of Education as the Responsible Local Agency/Administrative Unit (RLA/AU) and the County Superintendent of Schools as the Superintendent of the RLA/AU. The Charter SELPA administrative unit coordinates and implements the local plan under the supervision of the County Superintendent of Schools. Each LEA CEO representative is responsible per the SELPA Participation Agreement to locally approve the local plan through their respective LEA Board of Directors and for the implementation of the local plan.

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)]

Upon entry into the Charter SELPA, the governing board for each LEA charter shall approve the Agreement for Participation and the Local Plan for Special Education. The Charter SELPA Local

Plan is approved by the CEO Council and reviewed by the El Dorado County Superintendent of Schools. Each Charter LEA and the COE as the RLA/AU is responsible for the coordination of the administration of the local plan and adopted policies/administrative regulations of the Charter SELPA. The LEAs Boards of Education delegates the ongoing policy-making process, the Allocation Plan process, and administrative procedures for carrying out that responsibility to the governance structure of the Charter SELPA.

LEAs are responsible for the coordination of special education services and programs within their LEA and for the implementation of the Local Plan. Placement in special education programs or services occurs only when the nature or severity of the disability is such that the child's education in general education, even with the use of accommodations and/or modifications of the general education program and/or the use of supplementary aids or programs, cannot be achieved satisfactorily. Students with disabilities are served in their LEA whenever possible. However, it is recognized that some students have unique educational needs requiring that services be provided by other LEAs or NPA/NPS through local contractual agreements. LEA responsibilities include:

- Coordinating and conducting child find activities;
- Developing and providing programs and services for all eligible students for whom the LEA is responsible in accordance with state or federal laws and regulations;
- Selecting, compensating, and determining the duties of the special education teachers, instructional aides, and other personnel as required to conduct the programs and services specified in the local plan, and in compliance with state and federal mandates;
- Operating all special education programs and services in accordance with state and federal laws and regulations, and in conformance with the local plan;
- Organizing and administering the activities of the IEP teams, including the selection of the LEA staff and who will serve as members of the IEP team in conformance with Education Code Section 56341 and in compliance with the local plan;
- Providing facilities as required to house the programs conducted by the LEA;
- Providing for the acquisition and distribution of supplies and equipment for the programs conducted by the LEA;
- Providing and/or arranging for such transportation services as may be required to provide the special education programs specified that are conducted by the LEA;
- Cooperating in the provision of curricula for the classes and programs operated by the contracting LEA or NPS;
- Cooperating in the evaluation of the programs as specified in the local plan, with the contracting LEA or NPS;
- Cooperating in the development of the procedures and methods for communicating with the parents and/or legal guardians of the individuals served in conformance with the provisions of the local plan with the contracting LEA or NPS;
- Providing for the continuous review of placements and the assessment procedures

employed to ensure their effectiveness and applicability and ensure the continued implementation and compliance with eligibility criteria;

- Providing for the inclusion of individuals educated under the local plan into the general education programs and evaluating the results of such inclusion according to specifications of the Local Plan;
- Conducting the review of individual placements requested by the parents and/or legal guardians of the individual in accordance with the local plan;
- Collecting and completing state and federal report requirements, including California Longitudinal Pupil Achievement Data System (CALPADS reports and compliance reviews), and reports on student enrollment, program expenditures, and program evaluation;
- Responding to compliance and due process complaints and implementing the decisions of compliance investigations or due process hearings;
- Utilizing the same data management information system, forms, procedures, and guidelines as all other charter schools within the SELPA;
- Participating in state/district-wide assessments;
- Designating a representative for the LEA to serve on the CAC, in accordance with Education Code Sections 56192-56193 and pursuant to the procedures established in the local plan;
- Designating the LEA CEO/Superintendent to represent the LEA on the CEO Council to supervise and direct the implementation of the local plan;
- Receiving special education funding in accordance with the Allocation and Budget Plan and in accordance with the funding generated by the specific LEA computation completed, for programs maintained by the LEA.

In addition to the responsibilities outlined for the SELPA, the RLA/AU, and the LEAs participating in the Local Plan, an Agreement for Participation has been approved by the local LEA BOD and CEO Council.

Section 11 - Proposed Revisions with Track Changes

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 El Dorado County Office of Education Superintendent of Schools, as the RLA/AU, is responsible for the hiring, supervision, evaluation, and discipline of the SELPA administrator and staff employed by the RLA/AU.

- 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)]**

Funds received by the El Dorado [County](#) Charter SELPA from Part B of the IDEA shall be expended in accordance with the applicable provisions of the IDEA and shall be used to supplement, and not to supplant State, local and other Federal funds.

State and federal funds received by the RLA/AU and El Dorado [County](#) Charter SELPA are allocated and distributed among the local educational agencies in the SELPA, according to the ~~El Dorado Charter SELPA~~[El Dorado County Charter SELPA](#) adopted Allocation Plan.

[The El Dorado County Charter SELPA Allocation Plan determines how revenue allocated to the SELPA will be distributed to its member LEAs. The document details which funding sources will be pooled, shared, or distributed to member LEAs. These decisions have been agreed upon by member LEAs according to the governance structure and have been the result of meaningful discussions and considerations of potential impacts on students, families, and staff throughout the SELPA by the SELPA CEO Council. Agreed upon expenditures, including pooled, shared and fee for service expenditures that are approved through the Allocation Plan for the SELPA, will be treated as deductions from the allocations to member LEAs, and as such a net transfer of funds can be made for ease of distribution. The allocation plan is reviewed and updated regularly based on any changes to state and federal funding or any new revenue streams are determined through legislative changes.](#)

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

[The Charter LEA shall be responsible for providing special education programs and/or services to each individual student with exceptional needs enrolled in their LEA. The LEA may utilize any of the following options, in order to develop or determine an appropriate public education program for a special education pupil and in accordance with the least restrictive environment \(LRE\) mandate.](#)

- [• Remain in regular education program with supportive assistance;](#)
- [• Placement in an LEA special education program and/or service;](#)

- Referral and consideration for placement in a County Office of Education program and/or service;
- Referral and consideration for placement in another LEA--operated special education program and/or service;
- Referral and consideration for placement in a public agency special education program and/or service, other than an educational agency;
- Referral and consideration for placement in a nonpublic, nonsectarian school and/or agency for special education program and/or service;
- Referral and consideration for diagnostic services and/or placement in a state school.

In accordance with the plan, the SELPA Administrator may aid the LEA in the discharge of the responsibility delineated above.

The SELPA Allocation Plan, approved by the SELPA CEO Council shall be the governing language regarding financial matters and shall take precedence over any conflicting language regarding financial matters found in the SELPA Local Plan.

~~The Charter LEA shall ensure that the individualized education program team for any student with a disability includes the following members:~~

- ~~1. One or both of the student's parents/guardians, and/or a representative selected by the parent/guardian.~~
- ~~2. If the student is or may be participating in the regular education program, at least one regular education teacher. If more than one regular education teacher is providing instructional services to the student, the Charter LEA may designate one such teacher to represent the others.~~
- ~~3. At least one special education teacher or, where appropriate, at least one special education provider working with the student~~
- ~~4. A representative of the Charter LEA who is:~~
 - ~~a. Qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of students with disabilities.~~
 - ~~b. Knowledgeable about the general education curriculum.~~
 - ~~c. Knowledgeable about the availability of Charter LEA and/or special education local plan area (SELPA) resources.~~
 - ~~d. Has the authority to commit Charter LEA resources and ensure that whatever services are set out in the IEP will be provided.~~
- ~~5. An individual who can interpret the instructional implications of assessment results This individual may already be a member of the team as described in items 2-4 above or in item 6 below.~~

~~Note: Pursuant to Education Code 56341 and 34 CFR 300.321, the determination as to whether an individual identified in item 6 below has "knowledge or special expertise" must be made by the party (either the Charter LEA or parent) who invited the individual to the IEP team meeting.~~

~~6. At the discretion of the parent/guardian or Charter LEA, other individuals who have knowledge or special expertise regarding the student, including related services personnel, as appropriate (The determination of whether the individual has knowledge or special expertise regarding the student shall be made by the party who invites the individual to be a member of the IEP team. (Ed. Code § 56341)~~

~~7. Whenever appropriate, the student with a disability~~

~~8. For transition service participants:~~

~~a. The student, of any age, with a disability if the purpose of the meeting is the consideration of the student's postsecondary goals and the transition services needed to assist the student in reaching those goals. If the student does not attend the IEP team meeting, the Charter LEA shall take other steps to ensure that the student's preferences and interests are considered.~~

~~b. To the extent appropriate, and with the consent of the parent/guardian, a representative of any other agency that is likely to be responsible for providing or paying for transition services.~~

~~c. If a representative of a local agency has been invited but does not attend the meeting, the Charter LEA shall take steps to obtain participation of the agency in the planning of any transition services. (Ed. Code § 56341)~~

~~9. For students suspected of having a specific learning disability at least one individual who is qualified to conduct individual diagnostic examinations of the student, such as a school psychologist, speech language pathologist, or remedial reading teacher. In addition, at least one team member other than the student's regular education teacher shall observe the student's academic performance in the regular classroom setting. If the student is younger than five years or not enrolled in school, a team member shall observe the child in an environment appropriate for a child of that age. 34 CFR §§ 300.308, 300.542; Ed Code § 56341);~~

~~10. For students who have been placed in a group home by the juvenile court, a representative of the group home.~~

~~11. If a student with a disability is identified as potentially requiring mental health services, the Charter LEA may request the participation of the county mental health program in the IEP team meeting. (Ed. Code § 56331) (20 USC § 1414(d)(1); 34 CFR § 300.321; Ed. Code §§ 56341, 56341.2, 56341.5)~~

~~Excusal of Team Member~~

~~A member of the IEP team shall not be required to attend an IEP team meeting, in whole or in part, if the parent/guardian consents and the Charter LEA agrees, in writing, that the attendance of the member is not necessary because the member's area of the curriculum or related services is not being modified or discussed at the meeting. If the meeting involves a discussion of the member's area of the curriculum or related service, the IEP team member may be excused from the meeting if the parent/guardian consents in writing to the excusal and the member submits to the parent/guardian and team written input into the development of the IEP prior to the meeting. (20 USC § 1414(d)(1)(C); 34 CFR § 300.321; Ed. Code 56341)~~

~~Parent/Guardian Participation and Other Rights~~

~~The Charter CEO or designee shall take steps to ensure that one or both of the parents/guardians of the student with a disability are present at each IEP team meeting or are afforded the opportunity to participate. These steps shall include, at minimum, notifying the parents/guardians of the meeting early enough to ensure that they will have the opportunity to attend~~

~~and scheduling the meeting at a mutually agreed upon time and place. (34 CFR § 300.322; Ed. Code 56341.5)~~

~~The Charter CEO or designee shall send parents/guardians a notice of the IEP team meeting that:~~

- ~~1. Indicate the purpose, time, and location of the meeting~~
- ~~2. Indicate who will be in attendance at the meeting~~
- ~~3. For students beginning at age 16 (or younger than 16 if deemed appropriate by the IEP team):~~
 - ~~a. Indicate that the purpose of the meeting will be the consideration of postsecondary goals and transition services for the student as required by 20 USC, section 1414(d)(1)(A)(i)(VIII), 34 CFR, section 300.320(b), and Education Code, section 56345.1~~
 - ~~b. Indicate that the Charter LEA will invite the student to the IEP team meeting~~
 - ~~c. Identify any other agency that will be invited to send a representative~~

~~At each IEP team meeting convened by the Charter LEA, the Charter LEA administrator or specialist on the team shall provide the parent/guardian and student of the federal and state procedural safeguards (Ed. Code § 56321, 56500.1)~~

~~Before any IEP meeting, the parent/guardian shall have the right and opportunity to request to examine all of his/her child's school records. Upon receipt of an oral or written request, the Charter LEA shall provide complete copies of the records within five business days. (Ed. Code § 56043)~~

~~If neither parent/guardian can attend the meeting, the Charter CEO or designee shall use other methods to ensure parent/guardian participation, including video conferences or individual or conference telephone calls. (20 USC 1414(f); 34 CFR 300.322; Education Code 56341.5)~~

~~An IEP team meeting may be conducted without a parent/guardian in attendance if the Charter LEA is unable to convince the parent/guardian that he/she should attend. In such a case, the Charter LEA shall maintain a record of its attempts to arrange a mutually agreed upon time and place for the meeting, including, but not limited to: (34 CFR § 300.322; Ed. Code § 56341.5)~~

- ~~1. Detailed records of telephone calls made or attempted and the results of those calls~~
- ~~2. Copies of correspondence sent to the parent/guardian and any responses received~~
- ~~3. Detailed records of visits made to the parent/guardian's home or place of employment and the results of those visits. Parents/guardians and the Charter LEA shall have the right to audiotape the proceedings of IEP team meetings, provided members of the IEP team are notified of this intent at least 24 hours before the meeting. If the Charter LEA gives notice of intent to audiotape a meeting and the parent/guardian objects or refuses to attend because the meeting would be audiotaped, the meeting shall not be audiotaped. Audiotape recordings made by a LEA, SELPA, or county office are subject to the federal Family Educational Rights and Privacy Act (20 USC § 1232g).~~

~~Parents/guardians have the right to:~~

- ~~1. Inspect and review the audiotapes~~
- ~~2. Request that the audiotapes be amended if the parents/guardians believe they contain information that is inaccurate, misleading, or in violation of the student's privacy rights or other rights~~

~~3. Challenge, in a hearing, information that the parents/guardians believe is inaccurate, misleading, or in violation of the student's privacy rights or other rights (Education Code 56341.1)~~

~~The Charter LEA shall take any action necessary to ensure that the parents/guardians understand the proceedings of the meeting, including arranging for an interpreter for parents/guardians with deafness or whose native language is not English. (34 CFR 300.322; Education Code 56345.1)~~

~~The Charter LEA shall provide the parents/guardians of a student with disabilities a copy of his/her child's IEP at no cost. (34 CFR 300.322).~~

~~The Charter LEA shall adhere to all Federal (IDEA) and State (Education Code) laws regarding the provision of special education programs and services for students that qualify for special education per the IEP process outlined above.~~

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

The El Dorado County Office of Education is the Responsible Local Agency/Administrative Unit (RLA/AU) for the Charter SELPA. Pursuant to the provisions of Education Code Section 56030 et seq., the RLA/AU shall receive and distribute regionalized service funds, provide administrative support and coordinate the implementation of the El Dorado [County](#) Charter [SELPA](#) Local Plan for Special Education and the CEO Council approved Allocation Plan. The RLA/AU shall perform such services and functions required to accomplish the goals set forth in the plans, including development of the Annual Service and Budget Plans [and any state and federal reporting requirements including the Maintenance of Effort \(MOE\).](#)

Section 11 – Clean Copy with Proposed Changes Accepted

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 El Dorado County Office of Education Superintendent of Schools, as the RLA/AU, is responsible for the hiring, supervision, evaluation, and discipline of the SELPA administrator and staff employed by the RLA/AU.

- 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)]**

Funds received by the El Dorado County Charter SELPA from Part B of the IDEA shall be expended in accordance with the applicable provisions of the IDEA and shall be used to supplement, and not to supplant State, local and other Federal funds.

State and federal funds received by the RLA/AU and El Dorado County Charter SELPA are allocated and distributed among the local educational agencies in the SELPA, according to the El Dorado County Charter SELPA adopted Allocation Plan.

The El Dorado County Charter SELPA Allocation Plan determines how revenue allocated to the SELPA will be distributed to its member LEAs. The document details which funding sources will be pooled, shared, or distributed to member LEAs. These decisions have been agreed upon by member LEAs according to the governance structure and have been the result of meaningful discussions and considerations of potential impacts on students, families, and staff throughout the SELPA by the SELPA CEO Council. Agreed upon expenditures, including pooled, shared and fee for service expenditures that are approved through the Allocation Plan for the SELPA, will be treated as deductions from the allocations to member LEAs, and as such a net transfer of funds can be made for ease of distribution. The allocation plan is reviewed and updated regularly based on any changes to state and federal funding or any new revenue streams are determined through legislative changes.

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

The Charter LEA shall be responsible for providing special education programs and/or services to each individual student with exceptional needs enrolled in their LEA. The LEA may utilize any of the following options, in order to develop or determine an appropriate public education program for a special education pupil and in accordance with the least restrictive environment (LRE) mandate.

- Remain in regular education program with supportive assistance;
- Placement in an LEA special education program and/or service;

- Referral and consideration for placement in a County Office of Education program and/or service;
- Referral and consideration for placement in another LEA-operated special education program and/or service;
- Referral and consideration for placement in a public agency special education program and/or service, other than an educational agency;
- Referral and consideration for placement in a nonpublic, nonsectarian school and/or agency for special education program and/or service;
- Referral and consideration for diagnostic services and/or placement in a state school.

In accordance with the plan, the SELPA Administrator may aid the LEA in the discharge of the responsibility delineated above.

The SELPA Allocation Plan, approved by the SELPA CEO Council shall be the governing language regarding financial matters and shall take precedence over any conflicting language regarding financial matters found in the SELPA Local Plan.

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

The El Dorado County Office of Education is the Responsible Local Agency/Administrative Unit (RLA/AU) for the Charter SELPA. Pursuant to the provisions of Education Code Section 56030 et seq., the RLA/AU shall receive and distribute regionalized service funds, provide administrative support and coordinate the implementation of the El Dorado County Charter SELPA Local Plan for Special Education and the CEO Council approved Allocation Plan. The RLA/AU shall perform such services and functions required to accomplish the goals set forth in the plans, including development of the Annual Service and Budget Plans and any state and federal reporting requirements including the Maintenance of Effort (MOE).

Section 12 - Proposed Revisions with Track Changes

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 is provided at the school site associated with the Charter LEA, where the Individualized Education Program (IEP) team has determined provides the student ~~is the most appropriate~~ free and appropriate public education (FAPE) in the least restrictive environment (LRE). Should a student need a more restrictive placement to ensure they have access to the specialized equipment and services outlined in their IEP, the Charter as their own LEA is responsible. The SELPA allocation plan outlines how a charter LEA may access any state and federal funds to ensure specialized equipment and services are implemented including the access and use of Low Incidence funding for students with a designated low incidence disability per their Individualized Education Plan (IEP).

Section 12 – Clean Copy with Proposed Changes Accepted

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 is provided at the school site associated with the Charter LEA, where the Individualized Education Program (IEP) team has determined provides the student a free and appropriate public education (FAPE) in the least restrictive environment (LRE). Should a student need a more restrictive placement to ensure they have access to the specialized equipment and services outlined in their IEP, the Charter as their own LEA is responsible. The SELPA allocation plan outlines how a charter LEA may access any state and federal funds to ensure specialized equipment and services are implemented including the access and use of Low Incidence funding for students with a designated low incidence disability per their Individualized Education Plan (IEP).

Policies, Procedures, and Programs

Section 1 - No Track Changes

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

Policy/Procedure Number: CEO Policy 1

Document Title: Comprehensive Local Plan for Special Education

Document Location: <https://charterselpa.org/governance/>

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

Yes

No

Section 2 - No Track Changes

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

Policy/Procedure Number: CEO Administrative Regulation 1

Document Title: Comprehensive Local Plan for Special Education

Document Location: <https://charterselpa.org/governance/>

"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

Section 3 - Proposed Revisions with Track Changes

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

Policy/Procedure Number: CEO Policy 2

Document Title: Identification and Evaluation of Individuals for Special Education

Document Location: <https://charterselpa.org/governance/>

"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

If "NO," provide a brief description of the SELPA's policy related to the provision of law:

The Governing Board of each member LEA recognizes the need to actively seek out and evaluate school age Charter LEA residents who have disabilities, in order to provide them with appropriate educational opportunities in accordance with state and federal law.

Charter schools are currently authorized to serve school-aged students (grades IK-12). If at any time the authorization changes, the charter schools would follow all state and federal laws regarding children from age 0-2 and Child Find. Charter schools will assist families and make appropriate referrals for any students they find who would be outside the age or area of responsibility of the Charter schools.

The Charter Chief Executive Officer (CEO) or designee shall follow SELPA procedures to determine when an individual is eligible for special education services and shall implement the SELPA procedures for special education program identification, screening, referral, assessment, planning, implementation, review, and triennial assessment. (Education Code 56301) The Charter LEAs' process shall prevent the inappropriate disproportionate representation by race and ethnicity of students with disabilities.

In addition to identifying students with disabilities residing in their district, each districts "Child Find" identification system shall identify highly mobile children with disabilities, such as migrant and homeless children. (20 USC § 1412(a)(3).)

Section 3 – Clean Copy with Proposed Changes Accepted

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

Policy/Procedure Number: CEO Policy 2

Document Title: Identification and Evaluation of Individuals for Special Education

Document Location: <https://charterselpa.org/governance/>

"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

If "NO," provide a brief description of the SELPA's policy related to the provision of law:

The Governing Board of each member LEA recognizes the need to actively seek out and evaluate school age Charter LEA residents who have disabilities, in order to provide them with appropriate educational opportunities in accordance with state and federal law.

Charter schools are currently authorized to serve school-aged students (grades TK-12). If at any time the authorization changes, the charter schools would follow all state and federal laws regarding children from age 0-2 and Child Find. Charter schools will assist families and make appropriate referrals for any students they find who would be outside the age or area of responsibility of the Charter schools.

The Charter Chief Executive Officer (CEO) or designee shall follow SELPA procedures to determine when an individual is eligible for special education services and shall implement the SELPA procedures for special education program identification, screening, referral, assessment, planning, implementation, review, and triennial assessment. (Education Code 56301) The Charter LEAs' process shall prevent the inappropriate disproportionate representation by race and ethnicity of students with disabilities.

In addition to identifying students with disabilities residing in their district, each districts "Child Find" identification system shall identify highly mobile children with disabilities, such as migrant and homeless children. (20 USC § 1412(a)(3).)

Section 4 – Proposed Revisions with Track Changes

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

Policy/Procedure Number: CEO Policy 3 and CEO Administrative Regulation 3

Document Title: Individualized Education Program

Document Location: <https://charterselpa.org/governance/>

“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

If "NO," provide a brief description of the SELPA's policy related to the provision of law:

The Governing Board of each participating LEA shall provide educational alternatives that afford students with disabilities full educational opportunities. Students with disabilities shall receive a [Free and Appropriate Education \(FAPE\)](#) in the least restrictive environment as required by law. The Charter Chief Executive Officer [\(CEO\)](#) or designee shall implement the SELPA Procedural Guide. The Procedural Guide outlines the composition of the IEP team, and sets forth procedures regarding the development, review, and revision of the IEP. The specifics of the IEP process are set out in CEO Administrative Regulation 3

Section 4 – Clean Copy with Proposed Changes Accepted

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

Policy/Procedure Number: CEO Policy 3 and CEO Administrative Regulation 3

Document Title: Individualized Education Program

Document Location: <https://charterselpa.org/governance/>

“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

If "NO," provide a brief description of the SELPA's policy related to the provision of law:

The Governing Board of each participating LEA shall provide educational alternatives that afford students with disabilities full educational opportunities. Students with disabilities shall receive a Free and Appropriate Education (FAPE) in the least restrictive environment as required by law. The Charter Chief Executive Officer (CEO) or designee shall implement the SELPA Procedural Guide. The Procedural Guide outlines the composition of the IEP team, and sets forth procedures regarding the development, review, and revision of the IEP. The specifics of the IEP process are set out in CEO Administrative Regulation 3

Section 5 - No Track Changes

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

Policy/Procedure Number: CEO Administrative Regulation 1

Document Title: Comprehensive Local Plan for Special Education

Document Location: <https://charterselpa.org/governance/>

"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

Section 6 - No Track Changes

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

Policy/Procedure Number: CEO Policy 4

Document Title: Procedural Safeguards

Document Location: <https://charterselpa.org/governance/>

"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

If "NO," provide a brief description of the SELPA's policy related to the provision of law:

In order to protect the rights of students with disabilities, the Charter LEA shall follow all procedural safeguards as required by law. Parents/guardians shall receive written notice of their rights in accordance with law, Board policy, and administrative regulation. Note: Education Code 56195.8 authorizes the policy to include provisions for involving Charter LEA Board members in any due process hearing procedure activities.

Section 7 - Proposed Revisions with Track Changes

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

Policy/Procedure Number: CEO Administrative Regulation 3

Document Title: Individualized Education Program

Document Location: <https://charterselpa.org/governance/>

"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

If "NO," provide a brief description of the SELPA's policy related to the provision of law:

The Charter CEO or designee shall ensure that the IEP team:

1. Reviews the IEP periodically, but at least annually, to determine whether the annual goals for the student are being achieved and the appropriateness of placement

2. Revises the IEP, as appropriate, to address:

a. Any lack of expected progress toward the annual goals and in the general curriculum, where appropriate

a. The results of any reassessment conducted pursuant to Education Code 56381:

(a)(1) A reassessment of the pupil, based upon procedures specified in Section 56302.1 and in Article 2 (commencing with Section 56320), and in accordance with Section 1414(a), (b), and (c) of Title 20 of the United States Code, shall be conducted if the local educational agency determines that the educational or related services needs, including improved academic achievement and functional performance, of the pupil warrant a reassessment, or if the pupil's parents or teacher requests a reassessment.

(2) A reassessment shall occur not more frequently than once a year, unless the parent and the local educational agency agree otherwise, and shall occur at least once every

three years, unless the parent and the local educational agency agree, in writing, that a reassessment is unnecessary.

If the reassessment so indicates, a new individualized education program shall be developed.

c. Information about the student provided to or by the parents/guardians regarding review of evaluation data (34 CFR 305(a)(2) and Education Code 56381(b).)

d. The student's anticipated needs

e. Any other relevant matters

~~The Charter CEO or designee shall ensure that the IEP team:~~

~~1. Reviews the IEP periodically, but at least annually, to determine whether the annual goals for the student are being achieved and the appropriateness of placement~~

~~2. Revises the IEP, as appropriate, to address:~~

~~a. Any lack of expected progress toward the annual goals and in the general curriculum, where appropriate~~

~~b. The results of any reassessment conducted pursuant to Education Code 56381~~

~~c. Information about the student provided to or by the parents/guardians regarding review of evaluation data (34 CFR 305(a)(2) and Education Code 56381(b).)~~

~~d. The student's anticipated needs~~

~~e. Any other relevant matters~~

Section 7 – Clean Copy with Proposed Changes Accepted

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

Policy/Procedure Number: CEO Administrative Regulation 3

Document Title: Individualized Education Program

Document Location: <https://charterselpa.org/governance/>

“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

If "NO," provide a brief description of the SELPA's policy related to the provision of law:

The Charter CEO or designee shall ensure that the IEP team:

1. Reviews the IEP periodically, but at least annually, to determine whether the annual goals for the student are being achieved and the appropriateness of placement
2. Revises the IEP, as appropriate, to address:
 - a. Any lack of expected progress toward the annual goals and in the general curriculum, where appropriate
 - b. The results of any reassessment conducted pursuant to Education Code 56381:
 - (a)(1) A reassessment of the pupil, based upon procedures specified in Section 56302.1 and in Article 2 (commencing with Section 56320), and in accordance with Section 1414(a), (b), and (c) of Title 20 of the United States Code, shall be conducted if the local educational agency determines that the educational or related services needs, including improved academic achievement and functional performance, of the pupil warrant a reassessment, or if the pupil's parents or teacher requests a reassessment.
 - (2) A reassessment shall occur not more frequently than once a year, unless the parent and the local educational agency agree otherwise, and shall occur at least once every three years, unless the parent and the local educational agency agree, in writing, that a reassessment is unnecessary.
 - c. Information about the student provided to or by the parents/guardians regarding review of evaluation data (34 CFR 305(a)(2) and Education Code 56381(b).)

- d. The student's anticipated needs
- e. Any other relevant matters

Section 8 - No Track Changes

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

Policy/Procedure Number: CEO Policy 5

Document Title: Confidentiality of Student Records

Document Location: <https://charterselpa.org/governance/>

"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

The Charter LEA Governing Board recognizes the importance of keeping accurate, comprehensive student records as required by law. Procedures for maintaining the confidentiality of student records shall be consistent with state and federal law. The Charter CEO or designee shall establish regulations governing the identification, description and security of student records, as well as timely access for authorized persons. These regulations shall ensure parental rights to review, inspect and copy student records. In addition, the regulations will ensure and shall protect the privacy rights of student and the student's family.

The Charter CEO or designee shall designate a certificated employee to serve as custodian of records for student records at the Charter LEA level. At each school, the principal or a certificated designee shall act as custodian of records for students enrolled at that school. The custodian of records shall be responsible for implementing Board policy and administrative regulation regarding student records. (5 CCR § 431)

Section 9 - Proposed Revisions with Track Changes

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

Policy/Procedure Number: CEO Policy 6

Document Title: Part C - Transition

Document Location: <https://charterselpa.org/governance/>

"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

If "NO," provide a brief description of the SELPA's policy related to the provision of law:

Charter schools in the ~~El Dorado Charter SELPA~~ [El Dorado County Charter SELPA](#) currently do not serve students in Part C or preschool students [per charter law in California](#). If students are transitioning from preschool to a Charter LEA and are eligible for Part B services, the Charter LEA will [collaborate with the sending LEA](#) ~~participate~~ to ensure a smooth and effective transition between programs.

Section 9 – Clean Copy with Proposed Changes Accepted

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

Policy/Procedure Number: CEO Policy 6

Document Title: Part C - Transition

Document Location: <https://charterselpa.org/governance/>

"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

If "NO," provide a brief description of the SELPA's policy related to the provision of law:

Charter schools in the El Dorado County Charter SELPA currently do not serve students in Part C or preschool students per charter law in California. If students are transitioning from preschool to a Charter LEA and are eligible for Part B services, the Charter LEA will collaborate with the sending LEA to ensure a smooth and effective transition between programs.

Section 10 - Proposed Revisions with Track Changes

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

Policy/Procedure Number: CEO Policy 7

Document Title: Students with Disabilities Enrolled by their Parents in Private School

Document Location: <https://charterselpa.org/governance/>

"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

It shall be the policy of this Charter LEA to assure that children with disabilities voluntarily enrolled by their parents in private schools shall receive special education and related services in accordance with federal law, local procedures adopted by the student's district of residence, and corresponding SELPA.

Section 10 – Clean Copy with Proposed Changes Accepted

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

Policy/Procedure Number: CEO Policy 7

Document Title: Students with Disabilities Enrolled by their Parents in Private School

Document Location: <https://charterselpa.org/governance/>

"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

It shall be the policy of this Charter LEA to assure that children with disabilities voluntarily enrolled by their parents in private schools shall receive special education and related services in accordance with federal law, local procedures adopted by the student's district of residence, and corresponding SELPA.

Section 11 - No Track Changes

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

Policy/Procedure Number: CEO Policy 8

Document Title: Compliance Assurances

Document Location: <https://charterselpa.org/governance/>

"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

Section 12 - No Track Changes

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

Policy/Procedure Number: CEO Policy 29 and CEO Administrative Regulation 29

Document Title: Interagency

Document Location: <https://charterselpa.org/governance/>

"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

Section 13 - No Track Changes

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

Policy/Procedure Number: CEO Policy 9 and CEO Administrative Regulation 9

Document Title: Governance

Document Location: <https://charterselpa.org/governance/>

"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 adopted by the SELPA as stated:

Yes No

If "NO," provide a brief description of the SELPA's policy related to the provision of law:

Each LEA Charter SELPA member shall comply with the provisions of the governance structure and provide any necessary administrative support to implement the local plan.
The local plan shall be implemented according to CEO Administrative Regulation 9.

Section 14 - No Track Changes

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

Policy/Procedure Number: CEO Policy 10

Document Title: Personnel Qualifications

Document Location: <https://charterselpa.org/governance/>

"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

Section 15 - No Track Changes

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

Policy/Procedure Number: CEO Policy 11

Document Title: Performance Goals and Indicators

Document Location: <https://charterselpa.org/governance/>

"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

Section 16 - No Track Changes

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

Policy/Procedure Number: CEO Policy 12

Document Title: Participation in Assessments

Document Location: <https://charterselpa.org/governance/>

"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

Section 17 - No Track Changes

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

Policy/Procedure Number: CEO Policy 13

Document Title: Supplementation of State, Local and Other Federal Funds

Document Location: <https://charterselpa.org/governance/>

"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

Section 18 - No Track Changes

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

Policy/Procedure Number: CEO Policy 14 and Administrative Regulation 14

Document Title: Federal Maintenance of Effort Requirement

Document Location: <https://charterselpa.org/governance/>

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

Yes

No

Section 19 - No Track Changes

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

Policy/Procedure Number: CEO Policy 15

Policy/Procedure Title: Public Participation

Document Location: <https://charterselpa.org/governance/>

"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

Section 20 - No Track Changes

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

Policy/Procedure Number: CEO Policy 16

Document Title: Suspension/Expulsion

Document Location: <https://charterselpa.org/governance/>

"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

Section 21 - No Track Changes

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

Policy/Procedure Number: CEO Policy 17

Document Title: Access to Instructional Materials

Document Location: <https://charterselpa.org/governance/>

"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

Section 22 - No Track Changes

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

Policy/Procedure Number: CEO Policy 18

Document Title: Overidentification and Disproportionality

Document Location: <https://charterselpa.org/governance/>

"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

Section 23 - No Track Changes

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

Policy/Procedure Number: CEO Policy 19

Document Title: Prohibition on Mandatory Medicine

Document Location: <https://charterselpa.org/governance/>

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

Yes

No

Administration of Regionalized Operations and Services

Section 1 - Proposed Revisions with Track Changes

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

Document Title: Comprehensive Local Plan for Special Education [CEO Policy and Administrative Regulation 1](#)

Document Location: <https://charterselpa.org/governance/>

Description: As members of the El Dorado County Charter Special Education Local Plan Area (SELPA), (hereinafter referred to as Charter SELPA), each charter (as identified by the CDS (County, District, School) code issued by the State Board of Education) is considered an LEA (Local Education Agency) for purposes of special education.

The Charter SELPA further recognizes its' members as single charter partners or organization partners. Single Charter Partner is defined as an entity with one charter CDS code. An Organization Partner is an entity with multiple charters (CDS codes) as members of the Charter SELPA. An entity is defined as an organization with one governing board or one CEO (Chief Executive Officer) position. The title of CEO may differ by organization, but the intent is that final decision making in the organization is vested in one leadership position.

As members of the Charter SELPA, each Charter SELPA LEA (Local Education Agency) desires to provide a free and appropriate public education (FAPE) to all school aged IK-12 individuals with disabilities, who are enrolled in the charter, including children who have been suspended or expelled or placed by the charter LEA in a nonpublic school or agency services. The SELPA will provide technical support to any Charter LEAs identified as the DOR for students age 18 to 21 who are incarcerated in a county jail and remaining eligible for special education to assist in meeting their obligation. The SELPA may facilitate collaboration with the county jails as requested.

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

In order to meet the needs of individuals with disabilities and employ staff with adequate expertise for this purpose, the charter LEA participates as a member of the Special Education Local Plan Area (SELPA).

The Charter SELPA Local Plan is approved by the Charter CEO Council and reviewed by the El Dorado County Superintendent of Schools. Amendments to the Local Plan to revise LEA

membership (additions) shall be approved by the Charter SELPA Selection Committee. Prior to Selection Committee approval, new LEA members shall be approved through the selection process as identified in Policy 22 and AR 22. Termination of membership shall be approved through the termination process as identified in Policy 26 or Policy 27. All membership changes shall be communicated with the Charter SELPA CEO Council at the next regularly scheduled meeting. [Annual changes to membership status is approved by the CEO Council at the May CEO Council through the approval of the Local Plan Annual Service and Budget plans.](#)

The Charter CEO Council will hold the required public hearings and approve the Annual Service Plan and the Annual Budget Plan. Notice of the public hearings shall be posted as required by law.

Upon entry into the Charter SELPA, the Governing Board for each LEA charter shall approve the Charter SELPA Local Plan and the Agreement for Participation.

Material changes to the Local Plan, other than for membership changes, shall be approved by the Charter SELPA CEO Council and reviewed by the El Dorado County Superintendent of Schools.

The Charter Chief Executive Officer or designee of the charter LEA shall extend the charter LEA's full cooperation to the SELPA. The policies and procedures of the Charter SELPA shall be applied as policies and regulations to all participating charter LEAs.

Charter SELPA policies and administrative regulations are approved by the Charter SELPA CEO Council.

The Charter SELPA shall administer a local plan and administer the allocation of funds. (Education Code 56195). The Charter SELPA CEO Council shall approve all allocation plan decisions that impact the allocation of funds.

Section 1 – Clean Copy with Proposed Changes Accepted

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

Document Title: Comprehensive Local Plan for Special Education CEO Policy and Administrative Regulation 1

Document Location: <https://charterselpa.org/governance/>

Description: As members of the El Dorado County Charter Special Education Local Plan Area (SELPA), (hereinafter referred to as Charter SELPA), each charter (as identified by the CDS (County, District, School) code issued by the State Board of Education) is considered an LEA (Local Education Agency) for purposes of special education.

The Charter SELPA further recognizes its' members as single charter partners or organization partners. Single Charter Partner is defined as an entity with one charter CDS code. An Organization Partner is an entity with multiple charters (CDS codes) as members of the Charter SELPA. An entity is defined as an organization with one governing board or one CEO (Chief Executive Officer) position. The title of CEO may differ by organization, but the intent is that final decision making in the organization is vested in one leadership position.

As members of the Charter SELPA, each Charter SELPA LEA (Local Education Agency) desires to provide a free and appropriate public education (FAPE) to all school aged TK-12 individuals with disabilities, who are enrolled in the charter, including children who have been suspended or expelled or placed by the charter LEA in a nonpublic school or agency services. The SELPA will provide technical support to any Charter LEAs identified as the DOR for students age 18 to 21 who are incarcerated in a county jail and remaining eligible for special education to assist in meeting their obligation. The SELPA may facilitate collaboration with the county jails as requested.

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

In order to meet the needs of individuals with disabilities and employ staff with adequate expertise for this purpose, the charter LEA participates as a member of the Special Education Local Plan Area (SELPA).

The Charter SELPA Local Plan is approved by the Charter CEO Council and reviewed by the El Dorado County Superintendent of Schools. Amendments to the Local Plan to revise LEA membership (additions) shall be approved by the Charter SELPA Selection Committee. Prior to Selection Committee approval, new LEA members shall be approved through the selection process as identified in Policy 22 and AR 22. Termination of membership shall be approved

through the termination process as identified in Policy 26 or Policy 27. All membership changes shall be communicated with the Charter SELPA CEO Council at the next regularly scheduled meeting. Annual changes to membership status is approved by the CEO Council at the May CEO Council through the approval of the Local Plan Annual Service and Budget plans.

The Charter CEO Council will hold the required public hearings and approve the Annual Service Plan and the Annual Budget Plan. Notice of the public hearings shall be posted as required by law.

Upon entry into the Charter SELPA, the Governing Board for each LEA charter shall approve the Charter SELPA Local Plan and the Agreement for Participation.

Material changes to the Local Plan, other than for membership changes, shall be approved by the Charter SELPA CEO Council and reviewed by the El Dorado County Superintendent of Schools.

The Charter Chief Executive Officer or designee of the charter LEA shall extend the charter LEA's full cooperation to the SELPA. The policies and procedures of the Charter SELPA shall be applied as policies and regulations to all participating charter LEAs.

Charter SELPA policies and administrative regulations are approved by the Charter SELPA CEO Council.

The Charter SELPA shall administer a local plan and administer the allocation of funds. (Education Code 56195). The Charter SELPA CEO Council shall approve all allocation plan decisions that impact the allocation of funds.

Section 2 - Proposed Revisions with Track Changes

2. Coordinated system of identification and assessment:

Document Title: Identification and Evaluation of Individuals for Special Education [CEO Policy and Administrative Regulation 2](#)

Document Location: <https://charterselpa.org/governance/>;

Procedural Guide: <http://charterselpa.org/program-support/procedural-guide/>

Description: A student shall be referred for special educational instruction and services only after the resources of the regular education program have been considered and used where appropriate. (Education Code 56303) The Charter LEAs shall not determine that a student is eligible for special education if the dominant factor for finding eligibility is lack of appropriate instruction in reading, lack of instruction in mathematics, or limited English Proficiency (20 U.S.C. § 1414(b)(5); Ed. Code, § 56329, subd. (a)(2).) All referrals for special education and related services from school staff shall include a brief reason for the referral and description of the regular program resources that were considered and/ or modified for use with the student, and their effect. (5 CCR § 3021.) Within 15 days of a referral for initial assessment the LEA shall provide student's parent/guardian with a notice of parental rights and a written proposed assessment plan. The 15-day period does not include days between the student's regular school session or term, or days of school vacation in excess of five school days from the date of receipt of the referral. The proposed assessment plan shall meet all of the following requirements: (Education Code 56321) 1. Be in a language easily understood by the general public 2. Be provided in the native language of the parent/guardian or other mode of communication used by the parent/guardian unless it is clearly not feasible 3. Explain the types of assessment to be conducted 4. State that no individualized education program (IEP) will result from the assessment without parent/guardian consent Upon receiving the proposed assessment plan, the parent/ guardian shall have at least 15 days to decide whether or not to consent to the initial assessment. The assessment may begin as soon as informed parental consent is received by the respective Charter LEAs. The Charter LEAs shall not interpret parent/guardian consent for initial assessment as consent for initial placement or initial provision of special education services. (Education Code 56321; 34 CFR 300.505) However, an individualized education program required as a result of an assessment of a pupil shall be developed within 30 days after the commencement of the subsequent regular school year as determined by each Charter LEA's school calendar for each pupil for whom a referral has been made 30 days or less prior to the end of the regular school year. In the case of pupil school vacations, the 60-day time shall recommence on the date that pupil schooldays reconvene. A meeting to develop an initial individualized education program for the pupil shall be conducted within 30 days of a determination that the pupil needs special education and related services pursuant to paragraph (2) of subsection (b) of Section 300.343 of Title 34 of the Code of Federal Regulations. (Education Code 56344) If a parent/guardian refuses to consent to the initial

evaluation or failed to respond to the request to provide consent, the Charter LEAs may pursue an evaluation by utilizing the mediation and due process procedures found at 20 USC § 1415 and in accordance with Education Code, sections 56501, subd. (a) (3), and 56506, subd. (e). See BP/AR 6159.1 - Procedural Safeguards and Complaints for Special Education) In the event that authorized parent does not consent to an initial evaluation the Charter LEAs shall not be considered in violation of the requirement to provide FAPE. In addition, the Charter LEAs is not required to convene an IEP team meeting or to develop an IEP for that child. (20 USC § 1414(a)(1).) Informed parental consent means that the parent/guardian: 1. Has been fully informed of all information relevant to the activity for which consent is sought, in his/ her native language or other mode of communication 2. Understands and agrees, in writing, to the assessment 3. Understands that the granting of consent is voluntary on his/her part and may be revoked at any time (34 CFR § 300.500) If the student is a ward of the state and is not residing with his/her parents/guardians, the Charter LEAs shall make reasonable efforts to obtain informed consent from the parent/ guardian as defined in 20 USC, section 1401 for an initial evaluation to determine whether the student is a student with a disability. (20 USC § 1414(a)(1)) The Charter LEAs shall not be required to obtain informed consent from the parent/guardian of a student for an initial evaluation to determine whether the student is a student with a disability if any of the following situations exists 1. Despite reasonable efforts to do so, the Charter LEAs cannot discover the whereabouts of the parent/guardian of the student. 2. The rights of the parent/guardian of the student have been terminated in accordance with California law. 3. The rights of the parent/guardian to make educational decisions have been subrogated by a judge in accordance with California law and consent for an initial evaluation has been given by an individual appointed by the judge to represent the student. (Education Code 56301; 20 USC 1414(a)(1)) As part of the assessment plan, the parent/guardian shall receive written notice that: 1. Upon completion of the administration of tests and other assessment materials, an IEP team meeting that includes the parent/ guardian or his/her representative shall be scheduled pursuant to Education Code, section 56341. At this meeting, the team shall determine whether or not the student is a student with disabilities as defined in Education Code, section 56026 and shall discuss the assessment, the educational recommendations, and the reasons for these recommendations. A copy of the assessment report and the documentation of determination of eligibility shall be given to the parent/ guardian. 2. If the parent/guardian disagrees with an assessment obtained by the Charter LEAs, the parent/guardian has the right to obtain, at public expense, an independent educational assessment of the student from qualified specialists, in accordance with 34 CFR §300.502. If the Charter LEAs observed the student in conducting its assessment, or if its assessment procedures make it permissible to have in-class observation of a student, an equivalent opportunity shall apply to the independent educational assessment. This equivalent opportunity shall apply to the student's current placement and setting as well as observation of the Charter LEA's proposed placement and setting, regardless of whether the independent educational assessment is initiated before or after the filing of a due process hearing proceeding. 3. The Charter LEAs may initiate a due process hearing pursuant to Education Code 56500- 56508 to

show that its assessment is appropriate. If the final decision resulting from the due process hearing is that the assessment is appropriate, the parent/guardian maintains the right for an independent educational assessment but not at public expense. If the parent/guardian obtains an independent educational assessment at private expense, the results of the assessment shall be considered by the Charter LEAs with respect to the provision of a free appropriate public education to the student, and may be presented as evidence at a due process hearing regarding the student. If the Charter LEAs observed the student in conducting its assessment, or if its assessment procedures make it permissible to have in-class observation of a student, an equivalent opportunity shall apply to an independent educational assessment of the student in the student's current educational placement and setting, if any, proposed by the Charter LEAs, regardless of whether the independent educational assessment is initiated before or after the filing of a due process hearing. 4. If a parent/guardian proposes a publicly financed placement of the student in a nonpublic school, the Charter LEAs shall have an opportunity to observe the proposed placement and, if the student has already been unilaterally placed in the nonpublic school by the parent/ guardian, the student in the proposed placement. Any such observation shall only be of the student who is the subject of the observation and may not include the observation or assessment of any other student in the proposed placement unless that student's parent/guardian consents to the observation or assessment. The results of any observation or assessment of another student in violation of Education Code, section 56329(d) shall be inadmissible in any due process or judicial proceeding regarding the free appropriate public education of that other student. (Education Code 56329; 34 CFR 300.502) An IEP required as a result of an assessment shall be developed within a total time not to exceed 60 days from the date of the receipt of the parent/guardian's consent for assessment, unless the parent/guardian agrees to an extension in writing. The 60-day period does not include any days between the student's regular school sessions/terms, or days of school vacation in excess of five school days. (Ed Code § 56043) However, when a referral is made within 30 days of the end of the regular school year, an IEP required as a result of an assessment shall be developed within 30 days after the commencement of the subsequent regular school year as determined by each district's school calendar. In the case of school vacations, the 60-day time shall recommence on the date that school reconvenes. (Ed. Code § 56344 (a).) A meeting to develop an initial IEP for the pupil shall be conducted within 30 days of a determination that the pupil needs special education and related services. (Ed. Code §§ 56043(f)(2); 56344 (a).) Before entering kindergarten or first grade, children with disabilities who are in a preschool program shall be reassessed to determine if they still need special education and services. The IEP teams shall identify a means of monitoring the continued success of children who are determined to be eligible for less intensive special education programs to ensure that gains made are not lost by a rapid removal of individualized programs and supports for these individuals. (Ed. Code § 56445)

Section 2 – Clean Copy with Proposed Changes Accepted

2. Coordinated system of identification and assessment:

Document Title: Identification and Evaluation of Individuals for Special Education CEO Policy and Administrative Regulation 2

Document Location: <https://charterselpa.org/governance/>;

Procedural Guide: <http://charterselpa.org/program-support/procedural-guide/>

Description: A student shall be referred for special educational instruction and services only after the resources of the regular education program have been considered and used where appropriate. (Education Code 56303) The Charter LEAs shall not determine that a student is eligible for special education if the dominant factor for finding eligibility is lack of appropriate instruction in reading, lack of instruction in mathematics, or limited English Proficiency (20 U.S.C. § 1414(b)(5); Ed. Code, § 56329, subd. (a)(2).) All referrals for special education and related services from school staff shall include a brief reason for the referral and description of the regular program resources that were considered and/ or modified for use with the student, and their effect. (5 CCR § 3021.) Within 15 days of a referral for initial assessment the LEA shall provide student's parent/guardian with a notice of parental rights and a written proposed assessment plan. The 15-day period does not include days between the student's regular school session or term, or days of school vacation in excess of five school days from the date of receipt of the referral. The proposed assessment plan shall meet all of the following requirements: (Education Code 56321) 1. Be in a language easily understood by the general public 2. Be provided in the native language of the parent/guardian or other mode of communication used by the parent/guardian unless it is clearly not feasible 3. Explain the types of assessment to be conducted 4. State that no individualized education program (IEP) will result from the assessment without parent/guardian consent Upon receiving the proposed assessment plan, the parent/ guardian shall have at least 15 days to decide whether or not to consent to the initial assessment. The assessment may begin as soon as informed parental consent is received by the respective Charter LEAs. The Charter LEAs shall not interpret parent/guardian consent for initial assessment as consent for initial placement or initial provision of special education services. (Education Code 56321; 34 CFR 300.505) However, an individualized education program required as a result of an assessment of a pupil shall be developed within 30 days after the commencement of the subsequent regular school year as determined by each Charter LEA's school calendar for each pupil for whom a referral has been made 30 days or less prior to the end of the regular school year. In the case of pupil school vacations, the 60-day time shall recommence on the date that pupil schooldays reconvene. A meeting to develop an initial individualized education program for the pupil shall be conducted within 30 days of a determination that the pupil needs special education and related services pursuant to paragraph (2) of subsection (b) of Section 300.343 of Title 34 of the Code of Federal Regulations. (Education Code 56344) If a parent/guardian refuses to consent to the initial

evaluation or failed to respond to the request to provide consent, the Charter LEAs may pursue an evaluation by utilizing the mediation and due process procedures found at 20 USC § 1415 and in accordance with Education Code, sections 56501, subd. (a) (3), and 56506, subd. (e). See BP/AR 6159.1 - Procedural Safeguards and Complaints for Special Education) In the event that authorized parent does not consent to an initial evaluation the Charter LEAs shall not be considered in violation of the requirement to provide FAPE. In addition, the Charter LEAs is not required to convene an IEP team meeting or to develop an IEP for that child. (20 USC § 1414(a)(1).) Informed parental consent means that the parent/guardian: 1. Has been fully informed of all information relevant to the activity for which consent is sought, in his/ her native language or other mode of communication 2. Understands and agrees, in writing, to the assessment 3. Understands that the granting of consent is voluntary on his/her part and may be revoked at any time (34 CFR § 300.500) If the student is a ward of the state and is not residing with his/her parents/guardians, the Charter LEAs shall make reasonable efforts to obtain informed consent from the parent/ guardian as defined in 20 USC, section 1401 for an initial evaluation to determine whether the student is a student with a disability. (20 USC § 1414(a)(1)) The Charter LEAs shall not be required to obtain informed consent from the parent/guardian of a student for an initial evaluation to determine whether the student is a student with a disability if any of the following situations exists 1. Despite reasonable efforts to do so, the Charter LEAs cannot discover the whereabouts of the parent/guardian of the student. 2. The rights of the parent/guardian of the student have been terminated in accordance with California law. 3. The rights of the parent/guardian to make educational decisions have been subrogated by a judge in accordance with California law and consent for an initial evaluation has been given by an individual appointed by the judge to represent the student. (Education Code 56301; 20 USC 1414(a)(1)) As part of the assessment plan, the parent/guardian shall receive written notice that: 1. Upon completion of the administration of tests and other assessment materials, an IEP team meeting that includes the parent/ guardian or his/her representative shall be scheduled pursuant to Education Code, section 56341. At this meeting, the team shall determine whether or not the student is a student with disabilities as defined in Education Code, section 56026 and shall discuss the assessment, the educational recommendations, and the reasons for these recommendations. A copy of the assessment report and the documentation of determination of eligibility shall be given to the parent/ guardian. 2. If the parent/guardian disagrees with an assessment obtained by the Charter LEAs, the parent/guardian has the right to obtain, at public expense, an independent educational assessment of the student from qualified specialists, in accordance with 34 CFR §300.502. If the Charter LEAs observed the student in conducting its assessment, or if its assessment procedures make it permissible to have in-class observation of a student, an equivalent opportunity shall apply to the independent educational assessment. This equivalent opportunity shall apply to the student's current placement and setting as well as observation of the Charter LEA's proposed placement and setting, regardless of whether the independent educational assessment is initiated before or after the filing of a due process hearing proceeding. 3. The Charter LEAs may initiate a due process hearing pursuant to Education Code 56500- 56508 to

show that its assessment is appropriate. If the final decision resulting from the due process hearing is that the assessment is appropriate, the parent/guardian maintains the right for an independent educational assessment but not at public expense. If the parent/guardian obtains an independent educational assessment at private expense, the results of the assessment shall be considered by the Charter LEAs with respect to the provision of a free appropriate public education to the student, and may be presented as evidence at a due process hearing regarding the student. If the Charter LEAs observed the student in conducting its assessment, or if its assessment procedures make it permissible to have in-class observation of a student, an equivalent opportunity shall apply to an independent educational assessment of the student in the student's current educational placement and setting, if any, proposed by the Charter LEAs, regardless of whether the independent educational assessment is initiated before or after the filing of a due process hearing. 4. If a parent/guardian proposes a publicly financed placement of the student in a nonpublic school, the Charter LEAs shall have an opportunity to observe the proposed placement and, if the student has already been unilaterally placed in the nonpublic school by the parent/ guardian, the student in the proposed placement. Any such observation shall only be of the student who is the subject of the observation and may not include the observation or assessment of any other student in the proposed placement unless that student's parent/guardian consents to the observation or assessment. The results of any observation or assessment of another student in violation of Education Code, section 56329(d) shall be inadmissible in any due process or judicial proceeding regarding the free appropriate public education of that other student. (Education Code 56329; 34 CFR 300.502) An IEP required as a result of an assessment shall be developed within a total time not to exceed 60 days from the date of the receipt of the parent/guardian's consent for assessment, unless the parent/guardian agrees to an extension in writing. The 60-day period does not include any days between the student's regular school sessions/terms, or days of school vacation in excess of five school days. (Ed Code § 56043) However, when a referral is made within 30 days of the end of the regular school year, an IEP required as a result of an assessment shall be developed within 30 days after the commencement of the subsequent regular school year as determined by each district's school calendar. In the case of school vacations, the 60-day time shall recommence on the date that school reconvenes. (Ed. Code § 56344 (a).) A meeting to develop an initial IEP for the pupil shall be conducted within 30 days of a determination that the pupil needs special education and related services. (Ed. Code §§ 56043(f)(2); 56344 (a).) Before entering kindergarten or first grade, children with disabilities who are in a preschool program shall be reassessed to determine if they still need special education and services. The IEP teams shall identify a means of monitoring the continued success of children who are determined to be eligible for less intensive special education programs to ensure that gains made are not lost by a rapid removal of individualized programs and supports for these individuals. (Ed. Code § 56445)

Section 3 - Proposed Revisions with Track Changes

3. Coordinated system of procedural safeguards:

Document Title: Procedural Safeguards and Complaints for Special Education [CEO Policy and Administrative Regulation 4](#)

Document Location: <https://charterselpa.org/governance/>; <https://charterselpa.org/parent-resources/>; each LEA school site; SEIS Document Library; <https://charterselpa.org/program-support/procedural-guide/>
~~<http://charterselpa.org/program-support/procedural-guide/>~~

Description: Under California law, due process hearings pursuant to the IDEA (20 USC 1400-et seq) are held only at the state level. Related rights and procedures for due process are set forth in Education Code §§ 56501et. Seq. and 5 CCR §§ 3080 et. seq. When California law provides greater protections to students and parents, it supersedes federal law. Due process hearing rights extend to the student only if he/she is an emancipated student or a ward or dependent of the court with no available parent or surrogate parent. (Ed. Code § 56501; see AR 6159.3 - Appointment of Surrogate Parent for Special Education Students.) Informal ADR Process/Pre-Hearing Mediation Conference Before requesting a due process hearing, the Charter Chief Executive Officer or designee of the Charter LEA and a parent/guardian may agree to meet informally to resolve any dispute relating to the identification, assessment or education and placement of a student with disabilities. The Charter Chief Executive Officer or designee shall have the authority to resolve the dispute through an informal alternative dispute resolution (“ADR”) process. (Ed. Code § 56502) In addition, either party may file a request with the Superintendent of Public Instruction for a Pre- Hearing Mediation Conference (commonly referred to as “mediation only”) to be conducted by a person designated by the California Department of Education. Based on the Pre-Hearing Mediation Conference, the Charter Chief Executive Officer or designee may resolve the issue(s) in any manner that is consistent with state and federal law, and is to the satisfaction of both parties. (Education Code 56500.3) Attorneys may not attend the Informal ADR session or the Prehearing Mediation Conference. Attorneys may attend, or otherwise participate in, only those mediation conferences that are scheduled pursuant to a request for a due process hearing. (Ed. Code §§ 56500.3, 56501) If the parties do not resolve their dispute through Informal ADR and/or a Pre-Hearing Mediation Conference, either party may file a request for a due process hearing. Due Process Complaint Notice and Hearing Procedures Due process hearing procedures may be initiated by a parent/guardian, the Charter LEA, and/or a student who is emancipated or a ward or dependent of the court, under the following circumstances. 1. There is a proposal to initiate or change the identification, assessment or educational placement of the student or the provision of a free, appropriate public education to the student 2. There is a refusal to initiate or change the identification, assessment or educational placement of the student or the provision of a

free, appropriate public education to the student 3. The parent/guardian refuses to consent to an assessment of his/her child; and/ or 4. There is a disagreement between a parent/guardian and the Charter LEA regarding the availability of a program appropriate for the student, including the question of financial responsibility. (20 USC § 1415(b); Education Code 56501)

Prior to initiating a due process hearing, the party requesting the hearing, or the party's attorney, must provide the opposing party a confidential due process complaint notice, specifying: 1. The student's name 2. The student's address or, in the case of a student identified as homeless pursuant to the McKinney-Vento Homeless Assistance Act (42 USC 11434a(2)), any available contact information for that student 3. The name of the school the student attends 4. A description of the nature of the student's problem relating to the proposed or refused initiation or change, including facts relating to the problem 5. A proposed resolution to the problem to the extent known and available to the complaining party at the time (20 USC § 1415(b); 34 CFR § 300.508 (b).) Resolution Session When a parent seeks to initiate a request for due process, before their request is filed, they must provide the Charter LEA with the opportunity to resolve the matter by convening a resolution session, which is a meeting between the parents and the relevant members of the IEP team who have specific knowledge of the facts identified in the due process hearing request. (20 USC § 1415[f][1][B]; 34 CFR § 300.510) The Charter LEA has fifteen (15) days from the date it received the parents' due process hearing request to convene the resolution session. The sessions shall include a representative of the LEA who has decision-making authority and not include an attorney of the school LEA unless the parent is accompanied by an attorney. The parent of the child may discuss the due process hearing issue and the facts that form the basis of the due process hearing request. The resolution session is not required if the parent and the Charter LEA agree in writing to waive the meeting. If the Charter LEA has not resolved the due process hearing issue within thirty (30) days, the due process hearing may occur. If a resolution is reached, the parties shall execute a legally binding agreement. (20 USC § 1415[f][1][B]; 34 CFR § 300.51) A due process complaint must be filed within two years of the date that the parent/guardian or Charter LEA knew or should have known about the situation that forms the basis of the complaint. Response to the Due Process Hearing Request If the Charter LEA has not sent a prior written notice to the parent/guardian regarding the subject matter contained in the parent/guardian's due process complaint notice, the Charter LEA shall send a response to the parent/ guardian within 10 days of receipt of the complaint specifying: 1. An explanation of why the Charter LEA proposed or refused to take the action raised in the complaint 2. A description of other options that the individualized education program (IEP) team considered and the reasons that those options were rejected 3. A description of each evaluation procedure, assessment, record, or report the Charter LEA used as the basis for the proposed or refused action 4. A description of the factors that are relevant to the Charter LEA's proposal or refusal (20 USC 1415(c)(1)) If the Charter LEA sent prior written notice to the parent/guardian regarding the subject matter of the parent/guardian's due process complaint, the Charter LEA may, within 10 days of receipt, send a response specifically addressing the issues in the complaint. (20 USC § 1415(c)(1)) Parties requesting a due process hearing shall file their request

with the Superintendent of Public Instruction or designated contracted agency and give a copy of the request, at the same time, to the other party. (Ed. Code § 56502) Prior Written Notice The Charter Chief Executive Officer or designee shall send to parents/guardians of any student with a disability a prior written notice within a reasonable time before:

1. The Charter LEA initially refers the student for assessment
2. The Charter LEA proposes to initiate or change the student's identification, evaluation, educational placement or the provision of a free, appropriate public education
3. The Charter LEA refuses to initiate or change the identification, evaluation or educational placement of the student or the provision of a free and appropriate public education
4. The student graduates from high school with a regular diploma (Ed. Code §§ 56500.4, 56500.5; 20 USC § 1415(c); 34 CFR § 300.503)

The prior written notice shall include:

1. A description of the action proposed or refused by the Charter LEA
2. An explanation as to why the Charter LEA proposes or refuses to take the action
3. A description of any other options that the IEP team considered and why those options were rejected
4. A description of each evaluation procedure, test, record or report the Charter LEA used as a basis for the proposed or refused action
5. A description of any other factors relevant to the Charter LEA's proposal or refusal
6. A statement that the parents/ guardians of the student have protection under procedural safeguards and, if this notice is not an initial referral for evaluation, the means by which a copy of the description of procedural safeguards can be obtained
7. Any resources for parents/guardians to obtain assistance in understanding these provisions (20 USC § 1415(c); 34 CFR § 300.503)

Students with disabilities and their parents/guardians shall be provided written notice of their rights in language easily understood by the general public and in the primary language of the parent/guardian or other mode of communication used by the parent/guardian, unless to do so is clearly not feasible. The notice shall include, but not be limited to, those rights set forth in Education Code, section 56341. (Ed. Code §§ 56341, 56506; 34 CFR § 300.503)

If the native language or other mode of communication of the parent/guardian is not a written language, the Charter LEA shall take steps to ensure that:

1. The notice is translated orally or by other means to the parent/guardian in his/her native language or other mode of communication
2. The parent/guardian understands the contents of the notice
3. There is written evidence that items #1 and #2 have been satisfied (34 CFR § 300.503)

Notice of Procedural Safeguards A notice of procedural safeguards shall be made available to parents/guardians of students with a disability once a year and upon:

1. Initial referral for evaluation
2. Each notification of an IEP meeting
3. Reevaluation of the student
4. Registration of a complaint
5. Filing for a pre-hearing mediation conference or a due process hearing (Ed. Code § 56301; 20 USC 1415(d)(1))

The notice of procedural safeguards shall include information on the procedures for requesting an informal meeting, pre-hearing mediation conference, mediation conference, or due process hearing; the timelines for completing each process; whether the process is optional; the type of representative who may be invited to participate; and the right of the parent/guardian and/or the Charter LEA to electronically record the proceedings of IEP meetings in accordance with Education Code 56341. A copy of this notice shall be attached to the student's assessment plan and referred to at each IEP meeting. (20 USC 1415(d)(2); Ed. Code §§ 56321, 56321.5) In addition, the notice of procedural

safeguards shall include a full explanation of the procedural safeguards relating to independent educational evaluation; prior written notice; parental consent; access to educational records; opportunity to present complaints to initiate due process hearings; the student's placement while due process proceedings are pending; procedures for students who are subject to placement in an interim alternative educational setting; requirements for unilateral placement by parent/guardians of students in private schools at public expense.(20 USC 1415(d)(2); 34 CFR 300.504)

|

Section 3 – Clean Copy with Proposed Changes Accepted

3. Coordinated system of procedural safeguards:

Document Title: Procedural Safeguards and Complaints for Special Education CEO Policy and Administrative Regulation 4

Document Location: <https://charterselpa.org/governance/>; <https://charterselpa.org/parent-resources/>; each LEA school site; SEIS Document Library; <https://charterselpa.org/program-support/procedural-guide/>Description: Under California law, due process hearings pursuant to the IDEA (20 USC 1400-et seq) are held only at the state level. Related rights and procedures for due process are set forth in Education Code §§ 56501et. Seq. and 5 CCR §§ 3080 et. seq. When California law provides greater protections to students and parents, it supersedes federal law. Due process hearing rights extend to the student only if he/she is an emancipated student or a ward or dependent of the court with no available parent or surrogate parent. (Ed. Code § 56501; see AR 6159.3 - Appointment of Surrogate Parent for Special Education Students.)

Informal ADR Process/Pre-Hearing Mediation Conference Before requesting a due process hearing, the Charter Chief Executive Officer or designee of the Charter LEA and a parent/guardian may agree to meet informally to resolve any dispute relating to the identification, assessment or education and placement of a student with disabilities. The Charter Chief Executive Officer or designee shall have the authority to resolve the dispute through an informal alternative dispute resolution (“ADR”) process. (Ed. Code § 56502) In addition, either party may file a request with the Superintendent of Public Instruction for a Pre-Hearing Mediation Conference (commonly referred to as “mediation only”) to be conducted by a person designated by the California Department of Education. Based on the Pre-Hearing Mediation Conference, the Charter Chief Executive Officer or designee may resolve the issue(s) in any manner that is consistent with state and federal law, and is to the satisfaction of both parties. (Education Code 56500.3) Attorneys may not attend the Informal ADR session or the Prehearing Mediation Conference. Attorneys may attend, or otherwise participate in, only those mediation conferences that are scheduled pursuant to a request for a due process hearing. (Ed. Code §§ 56500.3, 56501) If the parties do not resolve their dispute through Informal ADR and/or a Pre-Hearing Mediation Conference, either party may file a request for a due process hearing. Due Process Complaint Notice and Hearing Procedures Due process hearing procedures may be initiated by a parent/guardian, the Charter LEA, and/or a student who is emancipated or a ward or dependent of the court, under the following circumstances.

1. There is a proposal to initiate or change the identification, assessment or educational placement of the student or the provision of a free, appropriate public education to the student
2. There is a refusal to initiate or change the identification, assessment or educational placement of the student or the provision of a free, appropriate public education to the student
3. The parent/guardian refuses to consent to an assessment of his/her child; and/ or
4. There is a disagreement between a parent/guardian and the Charter LEA regarding the availability of a program appropriate for the student, including the question of financial responsibility. (20 USC

§ 1415(b); Education Code 56501) Prior to initiating a due process hearing, the party requesting the hearing, or the party's attorney, must provide the opposing party a confidential due process complaint notice, specifying: 1. The student's name 2. The student's address or, in the case of a student identified as homeless pursuant to the McKinney-Vento Homeless Assistance Act (42 USC 11434a(2)), any available contact information for that student 3. The name of the school the student attends 4. A description of the nature of the student's problem relating to the proposed or refused initiation or change, including facts relating to the problem 5. A proposed resolution to the problem to the extent known and available to the complaining party at the time (20 USC § 1415(b); 34 CFR § 300.508 (b).) Resolution Session When a parent seeks to initiate a request for due process, before their request is filed, they must provide the Charter LEA with the opportunity to resolve the matter by convening a resolution session, which is a meeting between the parents and the relevant members of the IEP team who have specific knowledge of the facts identified in the due process hearing request. (20 USC § 1415[f][1][B]; 34 CFR § 300.510) The Charter LEA has fifteen (15) days from the date it received the parents' due process hearing request to convene the resolution session. The sessions shall include a representative of the LEA who has decision-making authority and not include an attorney of the school LEA unless the parent is accompanied by an attorney. The parent of the child may discuss the due process hearing issue and the facts that form the basis of the due process hearing request. The resolution session is not required if the parent and the Charter LEA agree in writing to waive the meeting. If the Charter LEA has not resolved the due process hearing issue within thirty (30) days, the due process hearing may occur. If a resolution is reached, the parties shall execute a legally binding agreement. (20 USC § 1415[f][1][B]; 34 CFR § 300.51) A due process complaint must be filed within two years of the date that the parent/guardian or Charter LEA knew or should have known about the situation that forms the basis of the complaint. Response to the Due Process Hearing Request If the Charter LEA has not sent a prior written notice to the parent/guardian regarding the subject matter contained in the parent/guardian's due process complaint notice, the Charter LEA shall send a response to the parent/guardian within 10 days of receipt of the complaint specifying: 1. An explanation of why the Charter LEA proposed or refused to take the action raised in the complaint 2. A description of other options that the individualized education program (IEP) team considered and the reasons that those options were rejected 3. A description of each evaluation procedure, assessment, record, or report the Charter LEA used as the basis for the proposed or refused action 4. A description of the factors that are relevant to the Charter LEA's proposal or refusal (20 USC 1415(c)(1)) If the Charter LEA sent prior written notice to the parent/guardian regarding the subject matter of the parent/guardian's due process complaint, the Charter LEA may, within 10 days of receipt, send a response specifically addressing the issues in the complaint. (20 USC § 1415(c)(1)) Parties requesting a due process hearing shall file their request with the Superintendent of Public Instruction or designated contracted agency and give a copy of the request, at the same time, to the other party. (Ed. Code § 56502) Prior Written Notice The Charter Chief Executive Officer or designee shall send to parents/guardians of any student with a disability a prior written notice within a reasonable time before: 1. The Charter LEA

initially refers the student for assessment 2. The Charter LEA proposes to initiate or change the student's identification, evaluation, educational placement or the provision of a free, appropriate public education 3. The Charter LEA refuses to initiate or change the identification, evaluation or educational placement of the student or the provision of a free and appropriate public education 4. The student graduates from high school with a regular diploma (Ed. Code §§ 56500.4, 56500.5; 20 USC § 1415(c); 34 CFR § 300.503) The prior written notice shall include: 1. A description of the action proposed or refused by the Charter LEA 2. An explanation as to why the Charter LEA proposes or refuses to take the action 3. A description of any other options that the IEP team considered and why those options were rejected 4. A description of each evaluation procedure, test, record or report the Charter LEA used as a basis for the proposed or refused action 5. A description of any other factors relevant to the Charter LEA's proposal or refusal 6. A statement that the parents/ guardians of the student have protection under procedural safeguards and, if this notice is not an initial referral for evaluation, the means by which a copy of the description of procedural safeguards can be obtained 7. Any resources for parents/guardians to obtain assistance in understanding these provisions (20 USC § 1415(c); 34 CFR § 300.503) Students with disabilities and their parents/guardians shall be provided written notice of their rights in language easily understood by the general public and in the primary language of the parent/guardian or other mode of communication used by the parent/guardian, unless to do so is clearly not feasible. The notice shall include, but not be limited to, those rights set forth in Education Code, section 56341. (Ed. Code §§ 56341, 56506; 34 CFR § 300.503) If the native language or other mode of communication of the parent/guardian is not a written language, the Charter LEA shall take steps to ensure that: 1. The notice is translated orally or by other means to the parent/guardian in his/her native language or other mode of communication 2. The parent/guardian understands the contents of the notice 3. There is written evidence that items #1 and #2 have been satisfied (34 CFR § 300.503) Notice of Procedural Safeguards A notice of procedural safeguards shall be made available to parents/guardians of students with a disability once a year and upon: 1. Initial referral for evaluation 2. Each notification of an IEP meeting 3. Reevaluation of the student 4. Registration of a complaint 5. Filing for a pre-hearing mediation conference or a due process hearing (Ed. Code § 56301; 20 USC 1415(d)(1)) The notice of procedural safeguards shall include information on the procedures for requesting an informal meeting, pre-hearing mediation conference, mediation conference, or due process hearing; the timelines for completing each process; whether the process is optional; the type of representative who may be invited to participate; and the right of the parent/guardian and/or the Charter LEA to electronically record the proceedings of IEP meetings in accordance with Education Code 56341. A copy of this notice shall be attached to the student's assessment plan and referred to at each IEP meeting. (20 USC 1415(d)(2); Ed. Code §§ 56321, 56321.5) In addition, the notice of procedural safeguards shall include a full explanation of the procedural safeguards relating to independent educational evaluation; prior written notice; parental consent; access to educational records; opportunity to present complaints to initiate due process hearings; the student's placement while due process proceedings are pending; procedures for students who are subject to

placement in an interim alternative educational setting; requirements for unilateral placement by parent/guardians of students in private schools at public expense.(20 USC 1415(d)(2); 34 CFR 300.504)

Section 4 - Proposed Revisions with Track Changes

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

Document Title: Reading Literacy [CEO Policy 21](#)

Document Location: <https://charterselpa.org/governance/>

Description: In order to improve the educational results for students with disabilities, the Charter LEAs in the ~~El Dorado Charter SELPA~~ [El Dorado County Charter SELPA](#) ensure that all students who require special education will participate in the California ~~Reading Initiative~~ [Comprehensive State Literacy Plan](#), just as do all other students in the El Dorado Charter LEAs. In order to facilitate that effort, the Charter LEAs assure that special education instructional personnel will participate in staff development inservice opportunities in the area of literacy, including: a. information about current literacy and learning research; b. state-adopted student content standards and frameworks; and c. research-based instructional strategies for teaching reading to a wide range of diverse learners. Each of the Charter LEAs will include special education staff in their curriculum materials selection process, in order to support alignment with State standards. Each will also include all special education staff in all staff development on phonemics and phonics, as well as in any additional state or regional training based on new legislation, ~~e.g., the California Reading and Literature Subject Matter Project, the rollouts on the frameworks, AB466 training~~. The goals of the Charter LEAs are to increase the participation of students with disabilities in statewide student assessments, to increase the percentage of children with disabilities who are literate, and to assure that students with disabilities attain higher standards in reading. In order to reach these goals, ~~the LEAs will ensure~~ [we assure](#) that students with disabilities will have full access to: 1. all required core curriculum including state-adopted core curriculum textbooks and supplementary textbooks; and 2. instructional materials and support.

Section 4 – Clean Copy with Proposed Changes Accepted

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

Document Title: Reading Literacy CEO Policy 21

Document Location: <https://charterselpa.org/governance/>

Description: In order to improve the educational results for students with disabilities, the Charter LEAs in the El Dorado County Charter SELPA ensure that all students who require special education will participate in the California Comprehensive State Literacy Plan, just as do all other students in the El Dorado Charter LEAs. In order to facilitate that effort, the Charter LEAs assure that special education instructional personnel will participate in staff development inservice opportunities in the area of literacy, including: a. information about current literacy and learning research; b. state-adopted student content standards and frameworks; and c. research-based instructional strategies for teaching reading to a wide range of diverse learners. Each of the Charter LEAs will include special education staff in their curriculum materials selection process, in order to support alignment with State standards. Each will also include all special education staff in all staff development on phonemics and phonics, as well as in any additional state or regional training based on new legislation.. The goals of the Charter LEAs are to increase the participation of students with disabilities in statewide student assessments, to increase the percentage of children with disabilities who are literate, and to assure that students with disabilities attain higher standards in reading. In order to reach these goals, the LEAs will ensure that students with disabilities will have full access to: 1. all required core curriculum including state-adopted core curriculum textbooks and supplementary textbooks; and 2. instructional materials and support.

Section 5 - Proposed Revisions with Track Changes

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

Document Title: Curriculum Adaptations/Reading Literacy

Document Location: <https://charterselpa.org/governance/>; -<http://charterselpa.org/program-support/procedural-guide/>

Description: Curriculum adaptations include accommodations, modifications, and supports that allow a child with a disability access to the general curriculum and assessments. LEAs/districts are responsible for ensuring that each teacher and provider is informed of his or her specific responsibilities related to implementing the child's IEP and the specific accommodations, modifications, and supports that must be provided for the child in accordance with the IEP (34CFR 300.342 (b)(3)).

Section 5 – Clean Copy with Proposed Changes Accepted

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

Document Title: Curriculum Adaptations/Reading Literacy

Document Location: <https://charterselpa.org/governance/>; <http://charterselpa.org/program-support/procedural-guide/>

Description: Curriculum adaptations include accommodations, modifications, and supports that allow a child with a disability access to the general curriculum and assessments. LEAs/districts are responsible for ensuring that each teacher and provider is informed of his or her specific responsibilities related to implementing the child's IEP and the specific accommodations, modifications, and supports that must be provided for the child in accordance with the IEP (34CFR 300.342 (b)(3)).

Section 6 - Proposed Revisions with Track Changes

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

Document Title: Oversight Policy [CEO Policy 28](#)

Document Location: <https://charterselpa.org/governance/>

Description: The Charter SELPA is responsible for monitoring all required areas of compliance with federal, state and Charter SELPA policies. The purpose of all monitoring and oversight activities is to ensure legal and effective LEA practices are in place to meet the needs of students with disabilities. This policy outlines areas of oversight and indicators that may cause the initiation of a Charter SELPA review process. Charter SELPA administration will keep the CEO Council informed of SELPA oversight activities and determinations.

If compliance, performance and/or student population data for an LEA in the Charter SELPA varies significantly from expected results or standards, it may be an early warning for the Charter SELPA to initiate contact. In this case, the Charter SELPA will contact the LEA to confirm the data, discuss any underlying issues which may impact the data, and identify how the Charter SELPA can assist the LEA in any necessary corrective action.

The Charter SELPA will monitor special education practices and data continuously to determine whether practices are in line with the LEA's responsibilities to students with disabilities and SELPA policies. Data will be collected and reviewed by the Charter SELPA. Examples of existing indicators and standards include but are not limited to:

- Identification rate of special education students that is below 4% or greater than 14%
- State Performance Plan Indicators
- Significant swings in enrollment and/or enrollment trends that are not aligned to the LEA's instructional calendar
- Pattern of compliance complaints or due process hearings
- Evidence of exclusionary practices
- Significant and/or abrupt change in leadership or staff
- No/low participation or engagement in the Charter SELPA (CEO Council, [Professional Learning Network \(PLN\) Steering Committee](#), professional development offerings, etc.)
- Unspent funds greater than 25%
- Annual independent audit which shows serious fiscal solvency issues or material findings (e.g. findings related to internal control or program compliance, high debt ratios, deficit spending, going concern findings, adequate reserves, and adequate cash)

SELPA REVIEW PROCESS: If one or more of the preceding triggers indicates a potential problem, the Charter SELPA may initiate a program and/or fiscal review. Program and fiscal reviews are facilitated by the appropriate Charter SELPA administrator. Charter SELPA's goal in each review

process is to clearly identify the areas of SELPA concern, discuss any underlying issues which may be impacting the findings, and identify how the Charter SELPA can assist the LEA in any necessary corrective action. The Charter SELPA may request additional information as necessary to resolve identified concerns.

When multiple or connected concerns exist, the Charter SELPA may implement an Integrated Review Team (IRT) visit. An Integrated Review Team (IRT) visit consists of Charter SELPA program and business administrators meeting directly with the charter LEA leadership team.

CHARTER SCHOOLS AT-RISK: Whether through a Charter SELPA review process or other source, or if significant matters arise that are potentially harmful to students, demonstrate negligence, may harm the SELPA, or there is a concern that funds are not being spent appropriately for special education, Charter SELPA administration is empowered to act in the best interests of the SELPA as a whole. Such matters include, but are not limited to:

- Pattern of noncompliance with federal, state or Charter SELPA regulations
- Notice of revocation
- Notice of bankruptcy
- FCMAT extraordinary audit
- Annual audit with material findings and identification of operational issues that cause concern regarding the long-term viability of the organization
- Other circumstances that create a concern that a loss to the SELPA is possible or funds are not being spent appropriately for special education

Charter SELPA administration may make a determination and proceed to:

- Notify appropriate public agencies;
- Notify the LEA's governing board;
- Withhold state and/or federal funding;
- Move an LEA to reimbursement-based state funding, requiring expenditure reporting prior to cash distribution;
- Require an LEA to submit proof of actual expenditures; and/or
- Initiate termination of membership pursuant to CEO Policy 26.

Section 6 – Clean Copy with Proposed Changes Accepted

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

Document Title: Oversight Policy CEO Policy 28

Document Location: <https://charterselpa.org/governance/>

Description: The Charter SELPA is responsible for monitoring all required areas of compliance with federal, state and Charter SELPA policies. The purpose of all monitoring and oversight activities is to ensure legal and effective LEA practices are in place to meet the needs of students with disabilities. This policy outlines areas of oversight and indicators that may cause the initiation of a Charter SELPA review process. Charter SELPA administration will keep the CEO Council informed of SELPA oversight activities and determinations.

If compliance, performance and/or student population data for an LEA in the Charter SELPA varies significantly from expected results or standards, it may be an early warning for the Charter SELPA to initiate contact. In this case, the Charter SELPA will contact the LEA to confirm the data, discuss any underlying issues which may impact the data, and identify how the Charter SELPA can assist the LEA in any necessary corrective action.

The Charter SELPA will monitor special education practices and data continuously to determine whether practices are in line with the LEA's responsibilities to students with disabilities and SELPA policies. Data will be collected and reviewed by the Charter SELPA. Examples of existing indicators and standards include but are not limited to:

- Identification rate of special education students that is below 4% or greater than 14%
- State Performance Plan Indicators
- Significant swings in enrollment and/or enrollment trends that are not aligned to the LEA's instructional calendar
- Pattern of compliance complaints or due process hearings
- Evidence of exclusionary practices
- Significant and/or abrupt change in leadership or staff
- No/low participation or engagement in the Charter SELPA (CEO Council, Professional Learning Network (PLN), professional development offerings, etc.)
- Unspent funds greater than 25%
- Annual independent audit which shows serious fiscal solvency issues or material findings (e.g. findings related to internal control or program compliance, high debt ratios, deficit spending, going concern findings, adequate reserves, and adequate cash)

SELPA REVIEW PROCESS: If one or more of the preceding triggers indicates a potential problem, the Charter SELPA may initiate a program and/or fiscal review. Program and fiscal reviews are facilitated by the appropriate Charter SELPA administrator. Charter SELPA's goal in each review

process is to clearly identify the areas of SELPA concern, discuss any underlying issues which may be impacting the findings, and identify how the Charter SELPA can assist the LEA in any necessary corrective action. The Charter SELPA may request additional information as necessary to resolve identified concerns.

When multiple or connected concerns exist, the Charter SELPA may implement an Integrated Review Team (IRT) visit. An Integrated Review Team (IRT) visit consists of Charter SELPA program and business administrators meeting directly with the charter LEA leadership team.

CHARTER SCHOOLS AT-RISK: Whether through a Charter SELPA review process or other source, or if significant matters arise that are potentially harmful to students, demonstrate negligence, may harm the SELPA, or there is a concern that funds are not being spent appropriately for special education, Charter SELPA administration is empowered to act in the best interests of the SELPA as a whole. Such matters include, but are not limited to:

- Pattern of noncompliance with federal, state or Charter SELPA regulations
- Notice of revocation
- Notice of bankruptcy
- FCMAT extraordinary audit
- Annual audit with material findings and identification of operational issues that cause concern regarding the long-term viability of the organization
- Other circumstances that create a concern that a loss to the SELPA is possible or funds are not being spent appropriately for special education

Charter SELPA administration may make a determination and proceed to:

- Notify appropriate public agencies;
- Notify the LEA's governing board;
- Withhold state and/or federal funding;
- Move an LEA to reimbursement-based state funding, requiring expenditure reporting prior to cash distribution;
- Require an LEA to submit proof of actual expenditures; and/or
- Initiate termination of membership pursuant to CEO Policy 26.

Section 7 - Proposed Revisions with Track Changes

7. Coordinated system of data collection and management:

Document Title: Data [CEO Policy 20](#)

Document Location: <https://charterselpa.org/governance/>

Description: The ~~El Dorado Charter SELPA~~ [El Dorado County Charter SELPA](#) and its member LEAs shall provide data or information to the SELPA and the California Department of Education as required by regulations.

[The Charter SELPA Administration has processes and procedures in place with published required timelines and offers regular training and support to member LEAs to ensure accurate collection, management, and reporting of state and federal data per current mandated reporting requirements.](#)

Section 7 – Clean Copy with Proposed Changes Accepted

7. Coordinated system of data collection and management:

Document Title: Data CEO Policy 20

Document Location: <https://charterselpa.org/governance/>

Description: The El Dorado County Charter SELPA and its member LEAs shall provide data or information to the SELPA and the California Department of Education as required by regulations.

The Charter SELPA Administration has processes and procedures in place with published required timelines and offers regular training and support to member LEAs to ensure accurate collection, management, and reporting of state and federal data per current mandated reporting requirements.

Section 8 - Proposed Revisions with Track Changes

8. Coordination of interagency agreements:

Document Title: Interagency [CEO Policy and Administrative Regulation 29](#)

Document Location: <https://charterselpa.org/governance/>

Description: Pursuant to Title 17 of the California Code of Regulations (17 CCR) Section 52140, LEAs must develop and maintain local interagency agreements with Regional Centers.

Agreements must include (as applicable to charter LEAs):

1. The responsibilities of each LEA and Regional Center in meeting the terms of the agreement;
2. Procedures for coordination of child find activities with local public agencies and Regional Centers to identify infants and toddlers who may be eligible for early intervention services;
3. Specific procedures for coordination of referrals for evaluation and assessment;
4. Procedures for the assignment of a service coordinator;
5. Interagency procedures for identifying the responsibilities of the regional center and LEA for completing the evaluation and assessment and determining eligibility within the time requirements contained in Section 52086 of these regulations, when an infant or toddler may receive services from both the Regional Center and LEA;
6. Procedures for the timely exchange of information between Regional Centers and LEAs;
7. Mechanisms for ensuring the availability of contacts at Regional Centers and LEAs at all times during the year;
8. Procedures for interagency individualized family service plan (IFSP) development when infants and toddlers may be eligible for early intervention services from the Regional Center and the LEA or other state or local programs or services;
9. Procedures to ensure the provision of services during periods of school vacations when services are required on the IFSP;
10. Transition planning procedures which begin at least six months prior to a toddler's third birthday pursuant to EC Section 52112 of these regulations;
11. Procedures for resolving disputes between regional centers and LEAs;
12. Procedures for the training and assignment of surrogate parents; and
13. Procedures for accepting transfers of infants or toddlers with existing IFSPs.

Local interagency agreements must be dated and signed by representatives of the Regional Center and LEA. Interagency agreements must be reviewed by both parties annually, revised as necessary, dated, and signed by both parties as needed.

Section 8 – Clean Copy with Proposed Changes Accepted

8. Coordination of interagency agreements:

Document Title: Interagency CEO Policy and Administrative Regulation 29

Document Location: <https://charterselpa.org/governance/>

Description: Pursuant to Title 17 of the California Code of Regulations (17 CCR) Section 52140, LEAs must develop and maintain local interagency agreements with Regional Centers.

Agreements must include (as applicable to charter LEAs):

1. The responsibilities of each LEA and Regional Center in meeting the terms of the agreement;
2. Procedures for coordination of child find activities with local public agencies and Regional Centers to identify infants and toddlers who may be eligible for early intervention services;
3. Specific procedures for coordination of referrals for evaluation and assessment;
4. Procedures for the assignment of a service coordinator;
5. Interagency procedures for identifying the responsibilities of the regional center and LEA for completing the evaluation and assessment and determining eligibility within the time requirements contained in Section 52086 of these regulations, when an infant or toddler may receive services from both the Regional Center and LEA;
6. Procedures for the timely exchange of information between Regional Centers and LEAs;
7. Mechanisms for ensuring the availability of contacts at Regional Centers and LEAs at all times during the year;
8. Procedures for interagency individualized family service plan (IFSP) development when infants and toddlers may be eligible for early intervention services from the Regional Center and the LEA or other state or local programs or services;
9. Procedures to ensure the provision of services during periods of school vacations when services are required on the IFSP;
10. Transition planning procedures which begin at least six months prior to a toddler's third birthday pursuant to EC Section 52112 of these regulations;
11. Procedures for resolving disputes between regional centers and LEAs;
12. Procedures for the training and assignment of surrogate parents; and
13. Procedures for accepting transfers of infants or toddlers with existing IFSPs.

Local interagency agreements must be dated and signed by representatives of the Regional Center and LEA. Interagency agreements must be reviewed by both parties annually, revised as necessary, dated, and signed by both parties as needed.

Section 9 - Proposed Revisions with Track Changes

9. Coordination of services to medical facilities:

Document Title: Comprehensive Local Plan for Special Education [CEO Policy and Administrative Regulation 1](#)

Document Location: <https://charterselpa.org/governance/>

Description: The SELPA Administrator, or designee, will facilitate the coordination of these services by the designated LEAs and provide technical assistance to the medical facilities and LEAs as appropriate. Role of the individual LEAs: Each individual LEA is responsible for students with disabilities who are placed in a public hospital, state licensed children's hospital, psychiatric hospital, proprietary hospital, or a health facility for medical purposes when the hospital or facility is located within their boundaries, unless based on education code there is another district of special education accountability which would be responsible.

Section 9 – Clean Copy with Proposed Changes Accepted

9. Coordination of services to medical facilities:

Document Title: Comprehensive Local Plan for Special Education CEO Policy and Administrative Regulation 1

Document Location: <https://charterselpa.org/governance/>

Description: The SELPA Administrator, or designee, will facilitate the coordination of these services by the designated LEAs and provide technical assistance to the medical facilities and LEAs as appropriate. Role of the individual LEAs: Each individual LEA is responsible for students with disabilities who are placed in a public hospital, state licensed children's hospital, psychiatric hospital, proprietary hospital, or a health facility for medical purposes when the hospital or facility is located within their boundaries, unless based on education code there is another district of special education accountability which would be responsible.

Section 10 - Proposed Revisions with Track Changes

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

Document Title: Individualized Education Program [CEO and Administrative Regulation 3](#)

Document Location: <https://charterselpa.org/governance/>

Description: When the Charter LEA has placed a foster student in a nonpublic, nonsectarian school, the Charter LEA must conduct an annual evaluation, as specified below. In addition, the nonpublic, nonsectarian school to report to the Charter LEA regarding the educational progress made by the student. (Ed. Code § 56157.) If a student with disabilities residing in a licensed children's institution or foster family home has been placed by the Charter LEA in a nonpublic, nonsectarian school, the Charter LEA shall conduct an annual evaluation as part of the IEP process of whether the placement is the least restrictive environment that is appropriate to meet the student's needs. (Education Code 56157)

Section 10 – Clean Copy with Proposed Changes Accepted

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

Document Title: Individualized Education Program CEO and Administrative Regulation 3

Document Location: <https://charterselpa.org/governance/>

Description: When the Charter LEA has placed a foster student in a nonpublic, nonsectarian school, the Charter LEA must conduct an annual evaluation, as specified below. In addition, the nonpublic, nonsectarian school to report to the Charter LEA regarding the educational progress made by the student. (Ed. Code § 56157.) If a student with disabilities residing in a licensed children's institution or foster family home has been placed by the Charter LEA in a nonpublic, nonsectarian school, the Charter LEA shall conduct an annual evaluation as part of the IEP process of whether the placement is the least restrictive environment that is appropriate to meet the student's needs. (Education Code 56157)

Section 11 - Proposed Revisions with Track Changes

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

Document Title: ~~Federal Maintenance of Effort Requirement~~CEO Policy and Administrative Regulation 1

Document Location: <https://charterselpa.org/governance/>

Description: ~~The LEAs will annually compile, and submit to the SELPA, budget and expenditure information that meets CDE MOE reporting requirements. The SELPA will then conduct the two required calculations determining MOE for the SELPA as a whole, and for each LEA. The SELPA-wide data is compiled and submitted in the format required by CDE.~~ Elements of the Local Plan

Note: Education Code 56205 details the elements that must be included in the local plan developed by the special education local plan area (SELPA), including a requirement that the plan contain assurances of general compliance with Section 504 of the Rehabilitation Act of 1973 (29 USC 794), the IDEA (20 USC 1400-1482), and the Americans with Disabilities Act (42 USC 12101-12213).

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

1. Assurances that policies, procedures, and programs, consistent with state law, regulation, and policy, are in effect as specified in Education Code 56205(a)(1-22) and in conformity with 20 USC 1412(a), 20 USC 1413(a)(1), and 34 CFR 300.201.
2. An annual budget plan and annual service plan adopted at a public hearing held by the SELPA. The local plan, annual budget plan, and annual service plan shall be written in language that is understandable to the general public.
3. A description of the process being utilized to oversee and evaluate placements in nonpublic, nonsectarian schools and the method for ensuring that all requirements of each student's IEP are being met.
4. A description of a dispute resolution process
5. Verification that the plan has been reviewed by the community advisory committee in accordance with Education Code 56205.
6. A description of the process being utilized to refer students for special education instruction pursuant to Education Code 56303 and 56025(a)
7. A description of how specialized equipment and services will be distributed within the local plan area in a manner that minimizes the necessity to serve students in isolated sites and maximizes the opportunities to serve students in the least restrictive environment. (Ed. Code § 56206)

8. Funds for regionalized operations and services and the direct instructional support of program specialists shall be apportioned to the special education local plan areas. As a condition of receiving these funds, the special education local plan area shall ensure coordination of services to medical facilities pursuant to Education Code 56836.23. The SELPA Administrator, or designee, will facilitate the coordination of these services by the designated LEAs and provide technical assistance to the medical facilities and LEAs as appropriate. Each individual LEA is responsible for students with disabilities who are placed in a public hospital, state licensed children's hospital, psychiatric hospital, proprietary hospital, or a health facility for medical purposes when the hospital or facility is located within their boundaries, unless based on education code there is another district of special education accountability which would be responsible.

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

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

Section 11 – Clean Copy with Proposed Changes Accepted

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

Document Title: CEO Policy and Administrative Regulation 1

Document Location: <https://charterselpa.org/governance/>

Description: *Elements of the Local Plan*

Note: Education Code 56205 details the elements that must be included in the local plan developed by the special education local plan area (SELPA), including a requirement that the plan contain assurances of general compliance with Section 504 of the Rehabilitation Act of 1973 (29 USC 794), the IDEA (20 USC 1400-1482), and the Americans with Disabilities Act (42 USC 12101-12213).

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

1. Assurances that policies, procedures, and programs, consistent with state law, regulation, and policy, are in effect as specified in Education Code 56205(a)(1-22) and in conformity with 20 USC 1412(a), 20 USC 1413(a)(1), and 34 CFR 300.201.
2. An annual budget plan and annual service plan adopted at a public hearing held by the SELPA. The local plan, annual budget plan, and annual service plan shall be written in language that is understandable to the general public.
3. A description of the process being utilized to oversee and evaluate placements in nonpublic, nonsectarian schools and the method for ensuring that all requirements of each student's IEP are being met.
4. A description of a dispute resolution process
5. Verification that the plan has been reviewed by the community advisory committee in accordance with Education Code 56205.
6. A description of the process being utilized to refer students for special education instruction pursuant to Education Code 56303 and 56025(a)
7. A description of how specialized equipment and services will be distributed within the local plan area in a manner that minimizes the necessity to serve students in isolated sites and maximizes the opportunities to serve students in the least restrictive environment. (Ed. Code § 56206)

8. Funds for regionalized operations and services and the direct instructional support of program specialists shall be apportioned to the special education local plan areas. As a condition of receiving these funds, the special education local plan area shall ensure coordination of services to medical facilities pursuant to Education Code 56836.23. The SELPA Administrator, or designee, will facilitate the coordination of these services by the designated LEAs and provide technical assistance to the medical facilities and LEAs as appropriate. Each individual LEA is responsible for students with disabilities who are placed in a public hospital, state licensed children's hospital, psychiatric hospital, proprietary hospital, or a health facility for medical purposes when the hospital or facility is located within their boundaries, unless based on education code there is another district of special education accountability which would be responsible.

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

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

Section 12 - Proposed Revisions with Track Changes

12. Fiscal and logistical support of the CAC:

Document Title: [CEO Policy and Administrative Regulation 9Governance](#)

Document Location: <https://charterselpa.org/governance/>

Description: The Community Advisory Committee shall be composed of parents of individuals with exceptional needs, enrolled in public or private schools, parents of other pupils enrolled in school, pupils and adults with disabilities, regular education teachers, special education teachers and other school personnel, representatives of other public and private agencies, and persons concerned with the needs of individuals with exceptional needs. Terms of CAC participation are outlined in the CAC bylaws.

Because of the geographic diversity within the [El Dorado Charter SELPAEl Dorado County Charter SELPA](#), meetings may take place through teleconference. For purposes of this section, “teleconference” means a meeting where the members are in different locations, connected by electronic means, through ~~either~~ audio and, video, ~~or both~~.

The SELPA Administration will assist in the coordination of the CAC and facilitate the process for CAC meetings according the its bylaws. The SELPA will provide fiscal support for active CAC participation including the annual hosted Legislative sharing day at the State Capitol usually held in May.

Section 12 – Clean Copy with Proposed Changes Accepted

12. Fiscal and logistical support of the CAC:

Document Title: CEO Policy and Administrative Regulation 9

Document Location: <https://charterselpa.org/governance/>

Description: The Community Advisory Committee shall be composed of parents of individuals with exceptional needs, enrolled in public or private schools, parents of other pupils enrolled in school, pupils and adults with disabilities, regular education teachers, special education teachers and other school personnel, representatives of other public and private agencies, and persons concerned with the needs of individuals with exceptional needs. Terms of CAC participation are outlined in the CAC bylaws.

Because of the geographic diversity within the El Dorado County Charter SELPA, meetings may take place through teleconference. For purposes of this section, “teleconference” means a meeting where the members are in different locations, connected by electronic means, through audio and video.

The SELPA Administration will assist in the coordination of the CAC and facilitate the process for CAC meetings according to its bylaws. The SELPA will provide fiscal support for active CAC participation including the annual hosted Legislative sharing day at the State Capitol usually held in May.

Section 13 - Proposed Revisions with Track Changes

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

Document Title: Special Education Transportation

Document Location: <http://charterselpa.org/program-support/procedural-guide/>;
<https://charterselpa.org/wp-content/uploads/2018/09/Transportation-Guidelines-2018-11-1.pdf>

Description: Legal Requirements Regarding Special Education Transportation Education Code Section 56040(a) states: "Every individual with exceptional needs, who is eligible to receive special education instruction and related services under this part, shall receive that instruction and those services at no cost to his or her parents or, as appropriate, to him or her." Related services means transportation and such developmental, corrective, and other supportive services as are required to assist a child with a disability to benefit from special education [34 CFR 300.34(a)]. Transportation as a related service includes travel to and from school and between schools, travel in and around school buildings; and specialized equipment (such as special or adapted buses, lifts, and ramps), if required to provide special transportation for a child with a disability [34 CFR 300.34(c)(16i-iii)]. LEAs/districts should not automatically assign students to transportation based on the students' disability without considering the students individual needs and the continuum of placements [Hopkinton (MA) Pub. Schs., 108 LRP 41626 (OCR 2007)]. For students with medical needs, 34 CFR 300.34(a)(ii) limits the responsibility of a public agency to appropriately monitor and maintain medical devices that are needed to maintain the health and safety of the child, including breathing, nutrition, or operation of other bodily functions, while the child is transported to and from school.

Section 13 – Clean Copy with Proposed Changes Accepted

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

Document Title: Special Education Transportation

Document Location: <http://charterselpa.org/program-support/procedural-guide/>;

<https://charterselpa.org/wp-content/uploads/2018/09/Transportation-Guidelines-2018-11-1.pdf>

Description: Legal Requirements Regarding Special Education Transportation Education Code Section 56040(a) states: "Every individual with exceptional needs, who is eligible to receive special education instruction and related services under this part, shall receive that instruction and those services at no cost to his or her parents or, as appropriate, to him or her." Related services means transportation and such developmental, corrective, and other supportive services as are required to assist a child with a disability to benefit from special education [34 CFR 300.34(a)]. Transportation as a related service includes travel to and from school and between schools, travel in and around school buildings; and specialized equipment (such as special or adapted buses, lifts, and ramps), if required to provide special transportation for a child with a disability [34 CFR 300.34(c)(16i-iii)]. LEAs/districts should not automatically assign students to transportation based on the students' disability without considering the students individual needs and the continuum of placements [Hopkinton (MA) Pub. Schs., 108 LRP 41626 (OCR 2007)]. For students with medical needs, 34 CFR 300.34(a)(ii) limits the responsibility of a public agency to appropriately monitor and maintain medical devices that are needed to maintain the health and safety of the child, including breathing, nutrition, or operation of other bodily functions, while the child is transported to and from school.

Section 14 - Proposed Revisions with Track Changes

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

Document Title: Comprehensive Local Plan for Special Education Individualized Education Program CEO Policy and Administrative Regulation 3

Document Location: <https://charterselpa.org/governance/>
<http://charterselpa.org/program-support/procedural-guide/>

Description:

As a student with disabilities moves into their teen years, the Individualized Education Program (IEP) focuses more on the interests of the student and what they hope for in the future. It is the IEP team's responsibility to create a transition individualized education program to support those interests. Transition, in reference to individuals receiving special education services, is defined as a coordinated set of activities for a student with a disability that:

- Is designed to be within a results-oriented process that is focused on improving the academic and functional achievement of the student with a disability to facilitate the student's movement from school to post-school activities, including postsecondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation;
- Is based on the individual student's needs, taking into account the student's strengths, preferences, and interests; and
- Includes instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and, if appropriate, acquisition of daily living skills and functional vocational evaluation.

[34 CFR §300.43 (a)] [20 U.S.C. 1401(34)] The student's IEP must be updated, prior to their 16th birthday (or younger if deemed appropriate by the IEP Team), to include the following transition components:

- Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment and, where appropriate, independent living skills;
- The transition services (including courses of study) needed to assist the student in reaching those goals; and
- Beginning not later than one year before the student reaches the age of majority under state law (18 in California), a statement that the student has been informed of the student's rights under Part B, if any, that will transfer to the student on reaching the age of majority, must be included in the IEP.

The LEA/district must invite the student with a disability to attend the student's IEP Team meeting if a purpose of the meeting will be the consideration of the postsecondary goals for the student and the transition services needed to assist the student in reaching those goals. If a purpose of a student's IEP Team meeting will be the consideration of postsecondary goals for the student and the transition services needed to assist the student in reaching those goals, the LEA/district must invite a representative of any participating agency that is likely to be responsible for providing or paying for transition services to attend the student's IEP Team meeting. ~~Special education may include each of the following if the services otherwise meet the definition in the above paragraph: (Education Code 56031) 1. Speech language pathology services, or any other designated instruction and service or related service, pursuant to Education Code 56363, if the service is considered special education rather than designated instruction and service or related service under state standards 2. Travel training 3. Career technical education 4. Transition services for students with disabilities in accordance with 34 CFR 300.43 if provided as specially designed instruction, or a related service, if required to assist a student with disabilities to benefit from special education. Specially designed instruction means adapting, as appropriate to the needs of an eligible student, the content, methodology, or delivery of instruction to ensure access of the student to the general curriculum, so that the student can meet the educational standards that apply to all students in the charter LEA. (34 CFR 300.39(b)(3))~~

Section 14 – Clean Copy with Proposed Changes Accepted

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

Document Title: Individualized Education Program CEO Policy and Administrative Regulation 3

Document Location: <https://charterselpa.org/governance/>

<http://charterselpa.org/program-support/procedural-guide/>

Description:

As a student with disabilities moves into their teen years, the Individualized Education Program (IEP) focuses more on the interests of the student and what they hope for in the future. It is the IEP team's responsibility to create a transition individualized education program to support those interests. Transition, in reference to individuals receiving special education services, is defined as a coordinated set of activities for a student with a disability that:

- Is designed to be within a results-oriented process that is focused on improving the academic and functional achievement of the student with a disability to facilitate the student's movement from school to post-school activities, including postsecondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation;
- Is based on the individual student's needs, taking into account the student's strengths, preferences, and interests; and
- Includes instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and, if appropriate, acquisition of daily living skills and functional vocational evaluation.

[34 CFR §300.43 (a)] [20 U.S.C. 1401(34)] The student's IEP must be updated, prior to their 16th birthday (or younger if deemed appropriate by the IEP Team), to include the following transition components:

- Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment and, where appropriate, independent living skills;
- The transition services (including courses of study) needed to assist the student in reaching those goals; and
- Beginning not later than one year before the student reaches the age of majority under state law (18 in California), a statement that the student has been informed of the student's rights under Part B, if any, that will transfer to the student on reaching the age of majority, must be included in the IEP.

The LEA/district must invite the student with a disability to attend the student's IEP Team meeting if a purpose of the meeting will be the consideration of the postsecondary goals for the student and the transition services needed to assist the student in reaching those goals. If a purpose of a student's IEP Team meeting will be the consideration of postsecondary goals for the student and the transition services needed to assist the student in reaching those goals, the LEA/district must invite a representative of any participating agency that is likely to be responsible for providing or paying for transition services to attend the student's IEP Team meeting.

Section 15 - Proposed Revisions with Track Changes

15. Assurance of full educational opportunity:

Document Title: Comprehensive Local Plan for Special Education [CEO Policy and Administrative Regulation 1](#)

Document Location: <https://charterselpa.org/governance/>

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

Section 15 – Clean Copy with Proposed Changes Accepted

15. Assurance of full educational opportunity:

Document Title: Comprehensive Local Plan for Special Education CEO Policy and Administrative Regulation 1

Document Location: <https://charterselpa.org/governance/>

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

Section 16 - Proposed Revisions with Track Changes

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: Governance [Administrative Regulation 9](#)

Document Location: <https://charterselpa.org/governance/>

Description: The El Dorado County Office of Education is the Responsible Local Agency/Administrative Unit (RLA/AU) for the Charter SELPA. Pursuant to the provisions of Education Code 56030 et seq., the RLA/AU shall receive and distribute regionalized service funds, provide administrative support and coordinate the implementation of the El Dorado Charter Local Plan for Special Education. The RLA/AU shall perform such services and functions required to accomplish the goals set forth in the plan, including development of the Annual Service and Budget Plan. In addition, pursuant to Education Code 56836.01(a)(b)(c) the SELPA RLA/AU will oversee the fiscal administration of the Annual Budget Plan and the allocation of state and federal funds allocated to the special education local plan area for the provision of special education and related services by those entities, in accordance with the Local and Allocation Plans approved by the CEO Council, and be responsible for the reporting and accounting requirements prescribed by this part.

Section 16 – Clean Copy with Proposed Changes Accepted

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: Governance Administrative Regulation 9

Document Location: <https://charterselpa.org/governance/>

Description: The El Dorado County Office of Education is the Responsible Local Agency/Administrative Unit (RLA/AU) for the Charter SELPA. Pursuant to the provisions of Education Code 56030 et seq., the RLA/AU shall receive and distribute regionalized service funds, provide administrative support and coordinate the implementation of the El Dorado Charter Local Plan for Special Education. The RLA/AU shall perform such services and functions required to accomplish the goals set forth in the plan, including development of the Annual Service and Budget Plan. In addition, pursuant to Education Code 56836.01(a)(b)(c) the SELPA RLA/AU will oversee the fiscal administration of the Annual Budget Plan and the allocation of state and federal funds allocated to the special education local plan area for the provision of special education and related services by those entities, in accordance with the Local and Allocation Plans approved by the CEO Council, and be responsible for the reporting and accounting requirements prescribed by this part.

Section 17 - Proposed Revisions with Track Changes

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

Document Title: Personnel Qualifications [Administrative Regulation 10](#)

Document Location: <https://charterselpa.org/governance/>

Description: A program specialist is a specialist who holds a valid special education credential, clinical services credential, health services credential, or a school psychologist authorization and has advanced training and related experience in the education of individuals with exceptional needs and a specialized in-depth knowledge in preschool disabilities, career vocational development, or one or more areas of major disabling conditions.

(b) A program specialist may do all the following:

- (1) Observe, consult with, and assist resource specialists, designated instruction and services instructors, and special class teachers.
- (2) Plan programs, coordinate curricular resources, and evaluate effectiveness of programs for individuals with exceptional needs.
- (3) Participate in each school's staff development, program development, and innovation of special methods and approaches.
- (4) Provide coordination, consultation and program development primarily in one specialized area or areas of his or her expertise.
- (5) Be responsible for assuring that pupils have full educational opportunity regardless of the district of residence.

(c) For purposes of Section 41403, a program specialist shall be considered a pupil services employee, as defined in subdivision (c) of Section 41401.

Section 17 – Clean Copy with Proposed Changes Accepted

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

Document Title: Personnel Qualifications Administrative Regulation 10

Document Location: <https://charterselpa.org/governance/>

Description: A program specialist is a specialist who holds a valid special education credential, clinical services credential, health services credential, or a school psychologist authorization and has advanced training and related experience in the education of individuals with exceptional needs and a specialized in-depth knowledge in preschool disabilities, career vocational development, or one or more areas of major disabling conditions.

(b) A program specialist may do all the following:

- (1) Observe, consult with, and assist resource specialists, designated instruction and services instructors, and special class teachers.
- (2) Plan programs, coordinate curricular resources, and evaluate effectiveness of programs for individuals with exceptional needs.
- (3) Participate in each school's staff development, program development, and innovation of special methods and approaches.
- (4) Provide coordination, consultation and program development primarily in one specialized area or areas of his or her expertise.
- (5) Be responsible for assuring that pupils have full educational opportunity regardless of the district of residence.

(c) For purposes of Section 41403, a program specialist shall be considered a pupil services employee, as defined in subdivision (c) of Section 41401.

Special Education Local Plan Area Services

Section 1 - Proposed Revisions with Track Changes

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

Document Title: Part C-Transition [CEO Policy 6](#)

Document Location: <https://charterselpa.org/governance/>

Description: Charter schools in the El Dorado Charter SELPA currently do not serve students in Part C or preschool students. If students are transitioning from preschool to a Charter LEA and are eligible for Part B services, the Charter LEA will participate to ensure a smooth and effective transition between programs.

Section 1 – Clean Copy with Proposed Changes Accepted

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

Document Title: Part C-Transition CEO Policy 6

Document Location: <https://charterselpa.org/governance/>

Description: Charter schools in the El Dorado Charter SELPA currently do not serve students in Part C or preschool students. If students are transitioning from preschool to a Charter LEA and are eligible for Part B services, the Charter LEA will participate to ensure a smooth and effective transition between programs.

Section 2 - Proposed Revisions with Track Changes

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: Public Participation [CEO Policy 15](#)

Document Location: <https://charterselpa.org/governance/>

Description: It shall be the policy of the Charter SELPA that public hearings, adequate notice of the hearings, and an opportunity for comment available to the general public, including individuals with disabilities and parents of children with disabilities, are held prior to the adoption of any policies and/or regulations needed to comply with part B of the IDEA. Per the Charter SELPA Local Plan, policies are adopted by the Charter CEO Council. The Charter SELPA RLA/AU may request input from the Executive Committee as policies are developed.

Appropriate notice shall be provided prior to adoption of policies by the Charter SELPA CEO Council. Proposed policies will be posted to the El Dorado Charter SELPA website. This will allow for review and comment by the public, parents of children with disabilities, or individuals with disabilities. Charter CEO Council typically meets twice per year and meetings may take place through teleconference. For the purposes of this section, “teleconference” means a meeting where the members are in different locations, connected by electronic means, through either audio, video, or both.

Section 2 – Clean Copy with Proposed Changes Accepted

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: Public Participation CEO Policy 15

Document Location: <https://charterselpa.org/governance/>

Description: It shall be the policy of the Charter SELPA that public hearings, adequate notice of the hearings, and an opportunity for comment available to the general public, including individuals with disabilities and parents of children with disabilities, are held prior to the adoption of any policies and/or regulations needed to comply with part B of the IDEA. Per the Charter SELPA Local Plan, policies are adopted by the Charter CEO Council. The Charter SELPA RLA/AU may request input from the Executive Committee as policies are developed.

Appropriate notice shall be provided prior to adoption of policies by the Charter SELPA CEO Council. Proposed policies will be posted to the El Dorado Charter SELPA website. This will allow for review and comment by the public, parents of children with disabilities, or individuals with disabilities. Charter CEO Council typically meets twice per year and meetings may take place through teleconference. For the purposes of this section, “teleconference” means a meeting where the members are in different locations, connected by electronic means, through either audio, video, or both.

Section 3 - Proposed Revisions with Track Changes

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: Procedural Safeguards and Complaints for Special Education [CEO Policy and Administrative Regulation 4](#)

Document Location: <https://charterselpa.org/governance/>;
<http://charterselpa.org/program-support/procedural-guide/>

Description: Before requesting a due process hearing, the Charter Chief Executive Officer or designee of the Charter LEA and a parent/guardian may agree to meet informally to resolve any dispute relating to the identification, assessment or education and placement of a student with disabilities. The Charter Chief Executive Officer or designee shall have the authority to resolve the dispute through an informal alternative dispute resolution (“ADR”) process. (Ed. Code § 56502) In addition, either party may file a request with the Superintendent of Public Instruction for a Pre- Hearing Mediation Conference (commonly referred to as “mediation only”) to be conducted by a person designated by the California Department of Education. Based on the Pre-Hearing Mediation Conference, the Charter Chief Executive Officer or designee may resolve the issue(s) in any manner that is consistent with state and federal law, and is to the satisfaction of both parties. (Education Code 56500.3) Attorneys may not attend the Informal ADR session or the Prehearing Mediation Conference. Attorneys may attend, or otherwise participate in, only those mediation conferences that are scheduled pursuant to a request for a due process hearing. (Ed. Code §§ 56500.3, 56501) If the parties do not resolve their dispute through Informal ADR and/or a Pre-Hearing Mediation Conference, either party may file a request for a due process hearing.

Section 3 – Clean Copy with Proposed Changes Accepted

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: Procedural Safeguards and Complaints for Special Education CEO Policy and Administrative Regulation 4

Document Location: <https://charterselpa.org/governance/>;

<http://charterselpa.org/program-support/procedural-guide/>

Description: Before requesting a due process hearing, the Charter Chief Executive Officer or designee of the Charter LEA and a parent/guardian may agree to meet informally to resolve any dispute relating to the identification, assessment or education and placement of a student with disabilities. The Charter Chief Executive Officer or designee shall have the authority to resolve the dispute through an informal alternative dispute resolution (“ADR”) process. (Ed. Code § 56502) In addition, either party may file a request with the Superintendent of Public Instruction for a Pre- Hearing Mediation Conference (commonly referred to as “mediation only”) to be conducted by a person designated by the California Department of Education. Based on the Pre-Hearing Mediation Conference, the Charter Chief Executive Officer or designee may resolve the issue(s) in any manner that is consistent with state and federal law, and is to the satisfaction of both parties. (Education Code 56500.3) Attorneys may not attend the Informal ADR session or the Prehearing Mediation Conference. Attorneys may attend, or otherwise participate in, only those mediation conferences that are scheduled pursuant to a request for a due process hearing. (Ed. Code §§ 56500.3, 56501) If the parties do not resolve their dispute through Informal ADR and/or a Pre-Hearing Mediation Conference, either party may file a request for a due process hearing.

Section 4 - Proposed Revisions with Track Changes

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: Identification and Evaluation of Individuals for Special Education [CEO Policy and Administrative Regulation 2](#)

Document Location: <https://charterselpa.org/governance/>;
<http://charterselpa.org/program-support/procedural-guide/>

Description: The Charter Chief Executive Officer or designee shall follow SELPA procedures providing that parents/guardians, teachers, appropriate professionals, and others may refer an individual for assessment for special education services. Identification procedures shall be coordinated with school site procedures for referral of students with needs that cannot be met with modifications to the regular instructional program. (Ed. Code § 56302)

Section 4 – Clean Copy with Proposed Changes Accepted

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: Identification and Evaluation of Individuals for Special Education CEO Policy and Administrative Regulation 2

Document Location: <https://charterselpa.org/governance/>;
<http://charterselpa.org/program-support/procedural-guide/>

Description: The Charter Chief Executive Officer or designee shall follow SELPA procedures providing that parents/guardians, teachers, appropriate professionals, and others may refer an individual for assessment for special education services. Identification procedures shall be coordinated with school site procedures for referral of students with needs that cannot be met with modifications to the regular instructional program. (Ed. Code § 56302)

Section 5 - Proposed Revisions with Track Changes

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:

Document Title: Nonpublic, Nonsectarian School and Agency Services for Special Education [CEO Policy and Administrative Regulation 24](#)

Document Location: <https://charterselpa.org/governance/>;
<http://charterselpa.org/program-support/procedural-guide/>; <https://charterselpa.org/wp-content/uploads/2017/08/Charter-NPS-RTC-Guidelines-2020.pdf>

Description: Contracts with an NPS or NPA shall include an Individual Services Agreement (“ISA”) negotiated for each student. ISAs shall be for the length of time for which NPS and/or NPA services are specified in the student’s individualized education program (“IEP”), but not to exceed one year. Changes in educational instruction, services or placement shall be made only on the basis of revisions to the student’s IEP. (Ed. Code § 56366.) The master contract shall specify the general administrative and financial agreements between the NPS or NPA and the Charter LEA to provide the special education and designated instruction and services, as well as transportation specified in the student’s IEP. The administrative provisions of the master contract shall also include procedures for record keeping and documentation, and the maintenance of school records by the contracting charter LEA to ensure that the NPS provides appropriate high school graduation credit to the student. The contract may allow for partial or full-time attendance at the nonpublic nonsectarian school. (Ed. Code § 56366.) In order for a Charter LEA to contract with an NPS or NPA, the NPS and NPA must be certified as meeting state standards. (Ed Code § 56366.) A master contract may be terminated for cause with 20-days’ notice. However, the availability of a public education program initiate during the period of the master contract cannot give cause for termination unless the parent/ guardian agrees to transfer the student to the public program. The master contract shall include a description of the process being utilized by the Charter LEA to oversee and evaluate placements in the NPS. This description shall include a method for evaluating whether the student is making appropriate educational progress. (Ed. Code 56366) The Charter CEO or designee of an elementary Charter LEA shall notify a high school district of all students placed in NPS or NPA programs prior to the annual review of the IEP for each student who may transfer to the high school district. (5 CCR § 3069.) When a special education student meets the district requirements for completion of prescribed course of study as designated in the student’s IEP, the district which developed the IEP shall award the diploma. (5 CCR § 3070.)

Section 5 – Clean Copy with Proposed Changes Accepted

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:

Document Title: Nonpublic, Nonsectarian School and Agency Services for Special Education CEO Policy and Administrative Regulation 24

Document Location: <https://charterselpa.org/governance/>;
<http://charterselpa.org/program-support/procedural-guide/>; <https://charterselpa.org/wp-content/uploads/2017/08/Charter-NPS-RTC-Guidelines-2020.pdf>

Description: Contracts with an NPS or NPA shall include an Individual Services Agreement (“ISA”) negotiated for each student. ISAs shall be for the length of time for which NPS and/or NPA services are specified in the student’s individualized education program (“IEP”), but not to exceed one year. Changes in educational instruction, services or placement shall be made only on the basis of revisions to the student’s IEP. (Ed. Code § 56366.) The master contract shall specify the general administrative and financial agreements between the NPS or NPA and the Charter LEA to provide the special education and designated instruction and services, as well as transportation specified in the student’s IEP. The administrative provisions of the master contract shall also include procedures for record keeping and documentation, and the maintenance of school records by the contracting charter LEA to ensure that the NPS provides appropriate high school graduation credit to the student. The contract may allow for partial or full-time attendance at the nonpublic nonsectarian school. (Ed. Code § 56366.) In order for a Charter LEA to contract with an NPS or NPA, the NPS and NPA must be certified as meeting state standards. (Ed Code § 56366.) A master contract may be terminated for cause with 20-days’ notice. However, the availability of a public education program initiate during the period of the master contract cannot give cause for termination unless the parent/ guardian agrees to transfer the student to the public program. The master contract shall include a description of the process being utilized by the Charter LEA to oversee and evaluate placements in the NPS. This description shall include a method for evaluating whether the student is making appropriate educational progress. (Ed. Code 56366) The Charter CEO or designee of an elementary Charter LEA shall notify a high school district of all students placed in NPS or NPA programs prior to the annual review of the IEP for each student who may transfer to the high school district. (5 CCR § 3069.) When a special education student meets the district requirements for completion of prescribed course of study as designated in the student’s IEP, the district which developed the IEP shall award the diploma. (5 CCR § 3070.)

Section 6 - Proposed Revisions with Track Changes

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: Comprehensive Local Plan for Special Education [CEO Policy and Administrative Regulation 1](#)

Document Location: <https://charterselpa.org/governance/>;

<http://charterselpa.org/program-support/procedural-guide/>

Description: As members of the Charter SELPA, each Charter SELPA LEA (Local Education Agency) desires to provide a free and appropriate public education (FAPE) to all school aged TK-12 individuals with disabilities, who are enrolled in the charter, including children who have been suspended or expelled or placed by the charter LEA in a nonpublic school or agency services. The SELPA will provide technical support to any Charter LEAs identified as the DOR for students age 18 to 21 who are incarcerated in a county jail and remaining eligible for special education to assist in meeting their obligation. The SELPA may facilitate collaboration with the county jails as requested. Students shall be referred for special education instruction and services only after the resources of the regular education program have been considered and, where appropriate, utilized. (Education Code 56303)

Section 6 – Clean Copy with Proposed Changes Accepted

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: Comprehensive Local Plan for Special Education CEO Policy and Administrative Regulation 1

Document Location: <https://charterselpa.org/governance/>;

<http://charterselpa.org/program-support/procedural-guide/>

Description: As members of the Charter SELPA, each Charter SELPA LEA (Local Education Agency) desires to provide a free and appropriate public education (FAPE) to all school aged TK-12 individuals with disabilities, who are enrolled in the charter, including children who have been suspended or expelled or placed by the charter LEA in a nonpublic school or agency services. The SELPA will provide technical support to any Charter LEAs identified as the DOR for students age 18 to 21 who are incarcerated in a county jail and remaining eligible for special education to assist in meeting their obligation. The SELPA may facilitate collaboration with the county jails as requested. Students shall be referred for special education instruction and services only after the resources of the regular education program have been considered and, where appropriate, utilized. (Education Code 56303)