

Local Plan South East Consortium SELPA Federal Assurances, Policies & Procedures

SELPA Policies	
Charter Schools adopted 5/13	
Parentally Placed Private School adopted 1/2014	
Independent Educational Evaluation adopted 1/2015	
Behavior Emergency Intervention adopted 3/2021	
Inter District Transfer for Students with Disabilities adopted 5/2013	
Special Education For Students with Disabilities in LCI, Foster Family Homes & Hospitals adopted 1/2015	
Program Compliance Monitoring and Support	
Maintenance of Effort (MOE) adopted 5/2013	
Program Transfer adopted 5/2013	

Federal Assurances		
Note: The linked document under each Federal Assurance is adopted by each LEA as part of the South East Consortium SELPA Local Plan. It expands on the IDEA required language.		
14.10	Free Appropriate Public Education (FAPE)	"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."
14.11	FULL EDUCATIONAL OPPORTUNITY	"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."

14.12	<u>CHILD FIND</u>	"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, and 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."
14.13	<u>INDIVIDUALIZED EDUCATION PROGRAM (IEP) FORMS</u>	"It shall be the policy of this LEA that an IEP, or an IFSP that meets the requirements of 20U.S.C. § 1436 (d), is ed, implemented, reviewed, and revised for each child with a disability who requires special education and related services in accordance with 20 U.S.C.§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."
14.14	<u>LEAST RESTRICTIVE ENVIRONMENT (LRE)</u>	"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."
14.15	<u>PROCEDURAL SAFEGUARDS</u>	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."
14.16	<u>EVALUATION</u>	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
14.17	<u>CONFIDENTIALITY</u>	"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."

14.18	<u>PART C TO PART B, TRANSITION</u>	“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. “
14.2	PRIVATE SCHOOLS (PARENTALLY PLACED PRIVATE SCHOOL POLICY)	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.”
14.9	<u>LOCAL COMPLIANCE ASSURANCES</u>	“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) here in 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 Education Code, Part 30.”
14.23	INTERAGENCY	“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.”
14.24	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”
14.25	PERSONNEL QUALIFICATIONS	“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.”
14.26	PERFORMANCE GOALS AND INDICATORS	“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.”
14.20	<u>PARTICIPATION IN ASSESSMENTS</u>	“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 IEPs.”
14.27	SUPPLEMENTATION OF STATE, LOCAL AND FEDERAL FUNDS	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
14.6	MAINTENANCE OF EFFORT	“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
14.29	PUBLIC PARTICIPATION	“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.”
14.21	<u>SUSPENSION AND EXPULSION</u>	“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.”

14.30	ACCESS TO INSTRUCTIONAL MATERIALS	"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."
14.31	<u>OVER IDENTIFICATION AND DISPROPORTIONALITY</u>	"It shall be the policy of this LEA to prevent the inappropriate overidentification or disproportionate representation by race and ethnicity of children as children with disabilities."
14.32	PROHIBITION ON MANDATORY MEDICINE	"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."
14.33	DATA	"It shall be the policy of this LEA to provide data or information to the California Department of Education that may be required by regulations."

South East Consortium SELPA Procedural Handbook	
Procedural Handbook Chapter Title	Links
Identification, Referral and Assessment for Special Education	Chapter 1
Early Childhood Education	Chapter 2 Referenced in SELPA Local Plan under Part C to B Transition
Identification and Assessment of English Language Learners	Chapter 3
Parental Rights and Procedural Safeguards	Chapter 4
Confidentiality of Pupil Records	Chapter 5
Special Education Eligibility Criteria & IEP Planning Guidelines	Chapter 6

Individualized Education Programs and Special Education Programs and Related Services	Chapter 7 Under Revision
Special Education Programs & Related Services	Chapter 8
Suspension & Expulsion	Chapter 9 Referenced in the SELPA Local Plan under the Suspension/Expulsion Federal Assurance
Non Public School Placement	Chapter 11
Low Incidence Purchasing Policy, Procedures and Guidelines	Chapter 13

Under Construction:

Chapter 10 Referral Procedures for Santa Clara County Office of Education Special Education Programs

Chapter 12 Surrogate Parents