

**Fresno County  
Special Education  
Local Plan Area**

**Fresno County SELPA**

**Local Plan  
for  
Special Education**

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# Fresno County SELPA

## ELEMENTS OF THE LOCAL PLAN FOR SPECIAL EDUCATION

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# Fresno County SELPA

## FORWARD

The organization and development of the Elements of the Local Plan is the result of a combined effort between participating Member LEAs and the Fresno County Superintendent of Schools within the Fresno County SELPA.

Special acknowledgement and appreciation are extended to each individual who donated his or her time and energy to the writing of this plan.

The result of this project has the specific purpose of enhancing the delivery of a free and appropriate public education to individuals with exceptional needs.

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Administrator

Fresno County SELPA

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Fresno County SELPA

# Fresno County SELPA

## **LOCAL PLAN REVISION PARTICIPANTS**

The following list represents personnel from district and county operated programs to include support staff, teachers, administrators, and parents who worked cooperatively to update and develop sections of this plan.

This page will be updated to reflect the names of individuals who have reviewed and provided input regarding the plan revision.

Romy Chachere

Eddie Davidson

**Special Education Local Plan Area  
Local Educational Agency Assurances**

**1. Free appropriate public education (20 United States Code [U.S.C.] § 1412 [a][1])**

It shall be the policy of this local educational agency (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.

**2. Full educational opportunity (20 U.S.C. § 1412 [a][2])**

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.

**3. Child find (20 U.S.C. § 1412 [a][3])**

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.

**4. Individualized education program (IEP) and individualized family service plan (IFSP) (20 U.S.C. § 1412 [a][4])**

It shall be the policy of this LEA that an IEP, or an IFSP that meets the requirements of 20 U.S.C. § 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 U.S.C. § 1414 (d). It shall be the policy of this LEA that a review of an IEP will be conducted on at least an annual basis to review a student's progress and make appropriate revisions.

**5. Least restrictive environment (20 U.S.C. § 1412 [a][5])**

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.

**6. Procedural safeguards (20 U.S.C. § 1412 [a][6])**

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.

**7. Evaluation (20 U.S.C. § 1412 [a][7])**

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.

**8. Confidentiality (20 U.S.C. § 1412 [a][8])**

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.

**9. Part C to part B transition (20 U.S.C. § 1412 [a][9])**

It shall be the policy of this LEA that children participating in early intervention programs (Individuals with Disabilities Education Act [IDEA], Part C), and who will participate in preschool programs, experience a smooth and effective transition to those preschool programs in a manner consistent with 20 U.S.C. § 1437 (a)(9). The transition process shall begin prior to the child's third birthday.

**10. Private schools (20 U.S.C. § 1412 [a][10])**

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.

**11. Local compliance assurances (20 U.S.C. § 1412 [a][11])**

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 *Education Code*, Part 30.

**12. Interagency (20 U.S.C. § 1412 [a][12])**

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.

**13. Governance (20 U.S.C. § 1412 [a][13])**

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 Educational Agency.

**14. Personnel qualifications (20 U.S.C. § 1412 [a][14])**

It shall be the policy of this LEA to ensure that personnel providing special education related services meet the highly qualified requirements as defined under federal law, 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.

**15. Performance goals and indicators (20 U.S.C. § 1412 [a][15])**

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.

**16. Participation in assessments (20 U.S.C. § 1412 [a][16])**

It shall be the policy of this LEA that all students with disabilities shall participate in state and district-wide assessment programs. The IEP team determines how a student will access assessments with or without accommodations, or access alternate assessments, consistent with state standards governing such determinations.

**17. Supplementation of state, local, and federal funds (20 U.S.C. § 1412 [a][17])**

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.

**18. Maintenance of effort (20 U.S.C. § 1412 [a][18])**

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.

**19. Public participation (20 U.S.C. § 1412 [a][19])**

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.

**20. Rule of construction (20 U.S.C. § 1412 [a][20])**

(Federal requirement for state educational agency only)

**21. State advisory panel (20 U.S.C. § 1412 [a][21])**

(Federal requirement for state educational agency only)

**22. Suspension and expulsion (20 U.S.C. § 1412 [a][22])**

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.

**23. Access to instructional materials (20 U.S.C. § 1412 [a][23])**

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.

**24. Over identification and disproportionality (20 U.S.C. § 1412 [a][24])**

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.

**25. Prohibition on mandatory medicine (20 U.S.C. § 1412 [a][25])**

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.

**26. Distribution of funds (20 U.S.C. § 1411 [e] and [f][1–3])**

(Federal requirement for state educational agency only)

**27. Data (20 U.S.C. § 1418 [a–d])**

It shall be the policy of this LEA to provide data or information to the CDE that may be required by regulations.

**28. Charter schools (California *Education Code* 56207.5 [a–c])**

It shall be the policy of this LEA that a request by a charter school to participate as an LEA in a special education local plan area (SELPA) may not be treated differently from a similar request made by a school district.

# Fresno County SELPA

The following 31 Local Educational Agencies (LEAs) that comprise the Fresno County SELPA have approved the Elements of the Local Plan for Special Education, effective July 1, 2017. Local Board approval dates below correspond to the signature page from each LEA for the SED-LP-5, Special Education Local Plan Area Local Education Agency (LEA) Assurance Statement and Certification of Board Minutes (see page 5 for sample document).

Original signature pages from each LEA are on file with the California Department of Education, and copies of each signature page are on file with the SELPA office.

	<b>Local Educational Agencies</b>	<b>Local Board Approval Date</b>
1	Alvina Elementary	
2	Big Creek Elementary	
3	Burrel Union Elementary	
4	Caruthers Unified	
5	Central Unified	
6	Clay Joint Elementary	
7	Coalinga-Huron Joint Unified	
8	Firebaugh-Las Deltas Unified	
9	Fowler Unified	
10	Fresno County Superintendent of Schools	
11	Golden Plains Unified	
12	Kerman Unified	
13	Kings Canyon Unified	
14	Kingsburg Joint Union Elementary	
15	Kingsburg Joint Union High	
16	Laton Unified	
17	Mendota Unified	
18	Monroe Elementary	
19	Orange Center Elementary	
20	Pacific Union Elementary	
21	Parlier Unified	
22	Pine Ridge Elementary	
23	Raisin City Elementary	
24	Riverdale Joint Unified	
25	Sanger Unified	
26	Selma Unified	
27	Sierra Unified	
28	Washington Colony Elementary	
29	Washington Unified School District	
30	West Park Elementary	
31	Westside Elementary	

## GOVERNANCE

The Fresno County Special Education Local Plan Area, henceforth referred to as the Fresno County SELPA, was formed under authority of Sections 56195 – 56208, 56240 - 56245 of the State of California Education Code and Title 5, Section 3000, and is the result of the Master Plan for Special Education as approved by the California Department of Education, henceforth referred to as CDE. In conformity with federal law, the Fresno County SELPA shall assure that it has policies, agreements, procedures, and programs that are consistent with state laws, regulations, and policies governing specified items.

### **SELPA Regions and Participating Local Educational Agencies**

The Fresno County SELPA includes all of the Local Educational Agencies, henceforth referred to as LEAs, within Fresno County with the exception of Fresno Unified and Clovis Unified School Districts, which are each a single district SELPA. Charter schools approved as LEAs within the Fresno County SELPA for the purposes of providing special education are also included, if applicable.

The Fresno County SELPA is divided into four regions with representation from the LEAs, in each region. Beginning on July 1, 2017, there are 30 school district LEAs and the Fresno County Superintendent of Schools, henceforth referred to as FCSS. These participating LEAs have joined in a cooperative effort and have agreed to provide for the coordinated delivery of programs and services to assure equal access to appropriate programs and services to students with disabilities requiring special education and residing in the service region. Charter schools and charter LEA(s) may serve students residing outside of the geographic boundaries of the Fresno County SELPA in accordance with state law. The Fresno County Superintendent of Schools serves as the Administrative Unit (AU) for the Fresno County SELPA, accepting regionalized services and program specialist funds and the responsibilities that accompany them. The Fresno County Superintendent of Schools is considered an LEA for all purposes of this agreement except where referred to as the AU.

### **LEA Charter Schools and New LEA District Members**

Charter schools and/or other districts applying for LEA status within the Fresno County SELPA shall submit a justification as specifying why membership as a Fresno County SELPA LEA is preferable to other alternatives. A request by a charter school to participate in the SELPA as an LEA will not be treated differently from a similar request made by a school district. The charter school shall participate in state and federal funding for special education and the allocation plan, and governance of the special education local plan area in the same manner as other LEAs in the Fresno County SELPA. Other procedures for application for membership in the SELPA are specified in the Fresno County SELPA Policy No. 00-20.

### **Policy Making Process**

The governing bodies of the Fresno County SELPA are the Superintendents' Governance Council (SGC), the Executive Committee, the Operations Committee, and the Joint Oversight Committee.

Policies developed by the SGC become the operating policies for each LEA in the Fresno County SELPA. The Local Plan, when adopted by the Fresno County Board of Education and each LEA's Board of Education or equivalent entity, becomes the official policy for the operation of the Fresno County SELPA. Policies, agreements, and procedures have weight of Board action when approved by the SGC.

### **Amending the Fresno County SELPA Local Plan**

The SELPA and its member LEAs may amend the Local Plan any time a change is deemed necessary due to local changes, new legislative requirements, a new interpretation by the courts, or an official finding of noncompliance with federal law, state law or regulations determined by the California Department of Education (CDE). The Superintendents' Governance Council may adopt amendments to the permanent portion of the Local Plan on an "interim" basis, not to exceed 12 months. Amendments approved in this manner would become permanent upon subsequent approval by all LEA governing boards and the State Board of Education (SBE). If this process is followed, the Fresno County SELPA will operate conditionally under amendments approved by the Superintendents' Governance Council until each local board has approved the amendments and they are forwarded to the SBE, and officially approved. A proposal to amend the Fresno County SELPA Local Plan must be approved by a two-thirds majority of SGC members.

Amendments to the Local Plan to revise LEA membership (additions/deletions) shall be approved by the SELPA Superintendents' Governance Council (SGC). Prior to SGC approval, new LEA members and/or termination of LEA members shall be approved through the process as identified in SELPA policies.

### **Responsibilities of the LEAs in the Policy Making Process**

#### **LEA Governing Boards' Responsibility**

LEA governing boards, as elected officials, are involved in the policy making process through the local superintendent's or equivalent administrator's participation in the SGC.

Each LEA governing board has the responsibility to assure that there are program options available to all students with disabilities within its attendance area. This is accomplished through the active participation of the SGC members, who shall responsibly address the resource needs of participating LEAs. Each LEA superintendent shall be responsible for informing the LEA governing board of updates and changes to the SELPA policies. LEA governing boards make policy and procedural decisions for programs and services operated by their respective districts. LEAs are responsible for compliance and due process issues for programs which they operate. Each LEA Board shall appoint a representative to the Community Advisory Committee.

#### **Responsibilities of each LEA Superintendent**

Each LEA superintendent or other equivalent administrator (e.g. LEA Charter School Executive Director/Head of School) shall represent the LEA as a member of the Superintendents' Governance Council (SGC). The responsibilities of each LEA superintendent and/or equivalent administrator for the implementation of the Local Plan shall be to the following:

- Assure that all special education programs and services are operated in accordance with state and federal law, the Local Plan, and the policies, agreements, and procedures approved by the SGC.
- Assure that the LEA maintains an accounting system adequate to provide federal, state and local reports to include program and fiscal reports required by the Fresno County SELPA.

- Submit Public Law 108-446 (formerly P.L. 101-476) budgets and expenditure reports for grant funds;
- Submit Annual Service and Annual Budget Plans as required in the Local Plan;
- Attend all SGC meetings and participate as a voting member;
- Implement those services assigned to the LEA herein and provided for in local budget plans. Each LEA provides assigned programs and services through its own facilities and staff;
- If the LEA program options do not meet an individual student's needs, assure that an Individualized Education Program (IEP) team is convened to consider a special education program placement in another LEA within the Fresno County SELPA, a program operated by FCSS, or another appropriate placement. The FCSS shall perform the services of an LEA for students with disabilities attending Juvenile Court Schools in the Fresno County SELPA. The LEA of residence shall be responsible for the excess costs of providing special education services to any student placed through the IEP team process in another LEA or FCSS-operated program. The LEA of residence shall not be responsible for the excess costs for students with disabilities enrolled in another LEA through any options available to all students (i.e. interdistrict transfers, program improvement, district of choice).
- Transfer the fiscal and case management responsibilities for an identified student to the high school district of residence when the student reaches 14.9 years of age on or before September 1 of each new school year unless the student previously promoted from eighth grade or previously transferred through an IEP team decision. This transfer shall apply when the LEA of residence is an elementary school district, regardless of the district or agency providing the special education service(s). However, Extended School Year services will be the fiscal and case management responsibility of the elementary school district prior to September 1.

### **Special Education Administrators' Responsibilities for LEAs in Coordinating the Administration of the Local Plan**

It is the responsibility of each LEA special education administrator and county administrator of special education to assure that all LEA/county policies operate within federal and state laws and regulations.

Each LEA has a responsibility to participate in SELPA committee meetings to facilitate understanding and knowledge in coordinating the administration of the Local Plan. The various committees provide a communication network on current and important issues related to special education laws, regulations, state requirements, and programmatic issues.

### **Role of the Fresno County Superintendent of Schools Administrative Unit (AU)**

The Fresno County Superintendent of Schools is designated as the official administrative unit (AU) to assure the implementation of the Local Plan and SELPA policies, agreements, and procedures of the SGC in cooperation with participating LEAs. The distribution of the federal and state funds is the responsibility of the Fresno County SELPA in accordance with the Fresno County SELPA's Funding Allocation Plan and policies, agreements and procedures of the SGC.

The Fresno County SELPA Administrator is employed by the AU Superintendent. Employment, supervision, evaluation and discipline follow the FCSS Department of Human

Resources Standard Operating Procedures. When there is an open position, the SGC shall nominate two or more persons to assist in the interview process.

SELPA staff members are employed by the AU upon recommendation from the Fresno County SELPA Administrator. Supervision, evaluation, and discipline of the Fresno County SELPA staff employed by the AU in support of the Local Plan shall be the responsibility of the Fresno County SELPA Administrator.

### **Description of the Governance Structure**

The governing bodies of the Fresno County SELPA are the Superintendents' Governance Council (SGC), the Executive Committee, the Operations Committee, and the Joint Oversight Committee. In addition, the Community Advisory Committee (CAC) acts in an advisory capacity to the Operations Committee to report on issues and activities of the CAC for their review and consideration, and to participate in the development, amendment, and review of the Local Plan.

### **Superintendents' Governance Council (SGC)**

#### **Membership**

The Superintendents' Governance Council (SGC) is comprised of Superintendents or an equivalent administrator (charter school Executive Director/Head of School, etc.) representing the governing boards of each of the 31 LEAs in the Fresno County SELPA and the County Superintendent of Schools, who is also a voting member representing Region 4. The County Superintendent of Schools serves as the Chairperson of the SGC, or may appoint a designee to serve as the Chairperson.

#### **Designation of Administrative Unit**

The SGC maintains a role as the guiding force of the Fresno County SELPA. This role includes requesting, on a four year basis, that the FCSS (or other agency) be the Administrative Unit, henceforth referred to as AU, to carry out the program policies in cooperation with the participating LEAs.

#### **Voting by SGC**

LEAs shall receive one vote for every one-hundred (100) Average Daily Attendance (ADA) rounded to the nearest whole vote. LEAs with less than 100 ADA shall receive a minimum of one vote. ADA used shall be the most current AB 602 P-2 ADA State certification available. When voting, each LEA must cast its entire allocation as one vote. A quorum exists when SGC members representing a majority of the LEAs and votes are present. Upon establishment of a quorum, action will be decided by majority vote of members present, except in circumstances where state or federal mandates require a unanimous vote.

#### **Meetings**

Meetings will be held at least four times annually. Agendas will be developed and minutes recorded by the Fresno County SELPA Administrator or designee and will be distributed prior to meetings. Members representing all 31 LEAs shall attend all meetings and participate in discussions pertaining to special education issues. In the event a superintendent or equivalent administrator is unable to attend an SGC meeting, a request for proxy must be submitted to the County Superintendent prior to the meeting and will be granted for one meeting only.

### Duties of the SGC

1. Ensure access to a free appropriate public education for all students represented by the Fresno County SELPA;
2. Make decisions and take action regarding the implementation, administration, financial agreements and operation of special education programs and services in accordance with the Local Plan;
3. Review membership of the Executive Committee to designate holdover members and appoint new members to assure equal LEA representation;
4. Consider input from the Executive Committee;
5. Assure each LEA selects and appoints a representative to the CAC;
6. Keep member LEAs informed of SGC actions and issues.

### Special Meetings

The Chairperson of the SGC, or a majority of the 31 members thereof, may call a special meeting of the SGC. All member LEAs of the SGC and the County Superintendent of Schools shall be notified of a special meeting and the purpose for which it is called at least 72 hours in advance of the meeting. Only those items of business listed in the call for the special meeting shall be considered.

### **Executive Committee**

#### Membership

The Executive Committee is comprised of six Superintendents or equivalent administrators - two each from regions One, Two and Three. The SELPA Administrator represents region Four and chairs the Executive Committee (APPENDIX A).

#### Meetings

Meetings will be held at least four times annually. Agendas will be developed and minutes recorded by the SELPA Administrator or designee, and will be distributed prior to meetings. A quorum shall be established by a simple majority of the appointed committee members; each member has one vote. Members of the Executive Committee may not delegate voting responsibility to another member or the SELPA Administrator. The SELPA Administrator will maintain a list of Executive Committee members and their appointment dates.

#### Duties

1. Recommend action on proposed amendments to the Local Plan to the SGC;
2. Recommend action on proposed revisions to the income distribution model for the allocation of federal, state and local funds for special education programs and services to the SGC;
3. Recommend action on the Annual Service Plan and Annual Budget Plan to the SGC;
4. Recommend changes to the SGC to the Fresno County SELPA policies, administrative regulations, procedures and guidelines for the management and implementation of special education programs and services within the Fresno County SELPA LEAs;
5. Provide direction to the Fresno County SELPA Administrator for regionalized and program specialist services.
6. Approve appropriate cost claims.

## **Operations Committee**

### Membership

The Operations Committee is comprised of one member (superintendent, LEA director, coordinator, or principal) from each LEA. The committee is chaired by the Fresno County SELPA Administrator. The chair of the Community Advisory Committee is an ex-officio member of the Operations Committee. In addition, the Community Advisory Committee acts in an advisory capacity to the Operations Committee to report on issues and activities of the CAC for their review and consideration, and to participate in the development, amendment and review of the Local Plan.

### Meetings

The Operations Committee will meet eight times annually. Agendas will be developed and minutes recorded by the Fresno County SELPA Administrator or designee and will be distributed prior to meetings. The Fresno County SELPA Administrator will maintain a list of Operations Committee members and their appointment dates.

### Duties

1. Address ongoing issues and needs of the Fresno County SELPA and member LEAs;
2. Participate in planning and developing policies, procedural modifications, changes in practice and professional development activities;
3. Advise the SGC and Executive Committees.

## **Joint Oversight Committee**

### Membership

The Joint Oversight Committee (JOC) is comprised of four members of the Operations Committee - one from each region; four LEA Chief Business Officers (CBOs) - one from each region. The committee is chaired by the Fresno County SELPA Administrator. The JOC advises the Executive Committee of the SGC.

### Meetings

The Joint Oversight Committee will meet at least once annually. Agendas will be developed and minutes recorded by the Fresno County SELPA Administrator or designee and will be distributed prior to meetings.

### Duties

1. Ensure local, state and federal resources are utilized in a cost effective manner, consistent with accountability requirements;
2. Monitor the effectiveness and equitability of the allocation plan;
3. Participate in the development of fiscal revisions to the allocation plan;
4. Ensure that the developed standards for funding allocation purposes are being implemented and followed by each LEA;
5. Review issues to be considered by the Executive Committee to convey any fiscal and programmatic implications.

## **SELPA Administrator**

The Fresno County SELPA Administrator shall coordinate the development and implementation of the Local Plan in cooperation with the SGC and the Operations Committee (as required for children ages birth through 21 years). The Fresno County SELPA Administrator has a responsibility to assure access to a full continuum of program options for

all students with disabilities, which may include the coordination of services provided by district of residence, Fresno County Superintendent of Schools, charter school LEAs, nonpublic schools, interagency agreements and memorandums of understanding as necessary. The SELPA Administrator is the direct liaison with the local agencies, other SELPAs and the CDE. The SELPA Administrator assures the development of necessary functions and activities to implement and manage the Local Plan such as providing SELPA staff for technical assistance and special education administrative support for the numerous requirements of federal and state laws and regulations. The Fresno County SELPA Administrator is responsible for presenting the SGC issues to the AU Superintendent for monitoring and review.

#### Duties

The SELPA Administrator shall include the following:

1. Prepare agendas, minutes and backup documentation for all SELPA meetings;
2. Maintain a list of Superintendents and equivalent administrators and appointment dates for all SELPA committees;
3. Share the list of Superintendents and equivalent administrators and their appointment dates annually with the SGC;
4. Monitor all activities relevant to approval and implementation of the plan.

In accordance with EC 56836.23, the SELPA Administrator shall ensure the required regionalized services functions are met, including, but not limited to the following:

- (a) Coordination of the special education local plan area and the implementation of the Local Plan;
- (b) Coordinated system of identification and assessment;
- (c) Coordinated system of procedural safeguards;
- (d) Coordinated system of staff development and parent and guardian education;
- (e) Coordinated system of curriculum development and alignment with the core curriculum;
- (f) Coordinated system of internal program review, evaluation of the effectiveness of the local plan, and implementation of a local plan accountability mechanism;
- (g) Coordinated system of data collection and management;
- (h) Coordination of interagency agreements;
- (i) Coordination of services to licensed children's institutions and foster family homes;
- (j) Preparation and transmission of required special education local plan area reports;
- (k) Fiscal and logistical support of the community advisory committee;
- (l) Coordination of transportation services for individuals with exceptional needs;
- (m) Coordination of career and vocational education and transition services;
- (n) Assurance of full educational opportunity;
- (o) Fiscal administration and the allocation of state and federal funds pursuant to Section 56836.01.

The Fresno County SELPA Administrator shall serve on behalf of the member Local Educational Agencies (LEAs) to implement the Local Plan, which includes regionalized services. Regionalized services are provided to assure access to special education services for all eligible individuals with exceptional needs. The Fresno County SELPA has a responsibility to assure access to a full continuum of program options for these students that may include the

coordination of services provided by district of residence, county office of education, charter school LEAs, interagency agreements and memorandums of understanding as necessary.

Agreements or procedures addressing regionalized services and operations shall include but not be limited to the following:

- Coordinated system of identification and assessment.
- Coordinated system of internal program review evaluation of the effectiveness of the Local Plan, and implementation of a Local Plan accountability mechanism.
- Coordinated system of data collection and management.
- Coordination of services to medical facilities.
- Coordination of services to licensed children’s institutions and foster family homes.
- Fiscal and logistical support of the Community Advisory Committee (CAC).
- Coordination of transportation services for individuals with exceptional needs.
- Coordination of career and vocational education and transition services.
- Fiscal administration and the allocation of state and federal funds pursuant to Section 56836.23.

## REGIONALIZED SERVICES

### **Program Specialist Services**

Program specialist funding flows through the SELPA to some LEAs within the Fresno County SELPA. Program specialist services as described in E.C. 56205(a)(12)(B) shall be provided by LEAs receiving these designated funds. LEAs that have historically chosen to receive these funds will continue to be eligible. For other LEAs to be considered to be eligible to program specialist funding, an LEA must maintain a pupil count of at least 600 students with disabilities for two consecutive years. LEAs that receive funds and fall below 600 students with disabilities for two consecutive years will lose funding the third year, and service will be provided by the Fresno County SELPA.

The SELPA office shall employ, or assure the employment of, a sufficient number of management staff to perform the duties of a program specialist as described in E.C. 56368. The number of persons employed to fulfill these duties will be approximately one for each 1,000 individuals with exceptional needs. This ratio is contingent upon designated funds.

The employing LEA or SELPA selects, hires and supervises the program specialist or the person who is assigned these responsibilities and meets the requirements per Education Code. 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 [E.C. 56368(a)].

For those LEAs not receiving program specialist funds, the Fresno County SELPA management staff members, under the direction of the Fresno County SELPA Administrator, shall coordinate and deliver the program specialist services as required in E.C. 56195.7(c)(1) and 56368.

A program specialist may do all the following:

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

### **Professional Development**

Professional development programs are provided for general and special educators, administrators, parents and guardians, instructional assistants, support personnel and CAC members. Programs are designed by teachers, administrators, parents, and other personnel via

written, verbal and committee input collected throughout the year in an ongoing process. Student involvement is encouraged.

In-services and staff development workshops are presented in a variety of formats to include individual conference attendance, training through electronic media, and small and large group sessions, which are held during the day, after school, and on evenings and weekends. College credit may be available.

The Fresno County SELPA professional development coordinator shall develop a calendar of all opportunities in the SELPA and distribute it monthly via listserv. The professional development calendar includes SELPA, County Office, Regional Coordinating Council (RCC), state and local conferences, and individual LEA offerings. This calendar is distributed to all LEAs and county office special education programs, Fresno County Superintendent of Schools (FCSS) Migrant Department, State Diagnostic Center-Central California, other SELPAs in Region 7 RCC, and non-profit agencies/organizations.

An open invitation is extended for attendance by special and general educators, administrators, agencies, community members, and instructional assistants. Parent opportunities are also announced through these publications and through the CAC.

Individual in-service evaluation forms are used at all SELPA professional development activities. All evaluations or compilations are kept on file at the Fresno County SELPA office. Evaluation forms include suggestions for additional information on topics presented. Information derived from evaluations will be used in considering the planning, organization and implementation of future activities.

The Fresno County SELPA professional development coordinator uses the evaluation information from individual workshops in conjunction with the Needs Assessment Survey results to help plan, design and schedule workshops and in-services for the coming school year.

### **Evaluation**

E.C. 56600 was written, in part, to assure that SELPAs participate with all state efforts to provide for “ongoing comprehensive evaluation of special education programs” in order to “refine and improve programs, policies, regulations, guidelines, and procedures on a continuing basis, and to assess the overall merits of these efforts.” The Fresno County SELPA shall submit annually all information required by the California Department of Education (CDE), Special Education Division, in this effort, including statistical data, program information, and fiscal information related to programs and services for pupils with disabilities in the Fresno County SELPA.

As per the requirements of E.C. 56600, the Fresno County SELPA Administrator will collect all data required by the CDE related to special education budgets and services, and report them annually. The Fresno County SELPA staff will support members of the Fresno County SELPA in the collection of data related to compliance, due process procedures, availability of services, key performance indicators, etc., as needed.

### **Data Collection and Development of Management Information Systems**

The Fresno County SELPA shall design or acquire and implement a data collection and storage system that will provide for the management and reporting of required data for state and federal

systems. The Fresno County SELPA will continue to work with the CDE Department of Management Information System to collect and report all required data related to special education fiscal and program services, and to provide other pertinent information necessary for the operation of the SELPA. In accordance with E.C. 56205 the data collection system shall include all required components for the Annual Service Plan, which shall include a description of services to be provided by each district and county office, including the nature of the services and the physical location at which the services will be provided, including alternative schools, charter schools, opportunity schools and classes, community day schools operated by districts, community schools operated by county offices, and juvenile court schools, regardless of whether the district or county office is participating in the local plan. This description shall demonstrate that all individuals with exceptional needs shall have access to services and instruction appropriate to meet their needs as specified in their individualized education programs.

The Fresno County SELPA staff will provide technical assistance to all LEAs in the SELPA regarding their collection and reporting of required data. The Fresno County SELPA staff will strive to support a system that is responsive to the data needs of the LEAs.

### **Curriculum Development**

One of the primary goals of Public Law 108-446 as amended in 2004, henceforth referred to as the *Individuals with Disabilities Education Act* (or *IDEA*) is to assure that all children with disabilities will be given the opportunity to participate in the general education curriculum and will be provided appropriate curricular accommodations and modifications. “Specially designed instruction” allows children the opportunity to access a free appropriate public education (FAPE) in the Least Restrictive Environment, henceforth referred to as LRE, based on the child’s individual strengths and needs.

The Fresno County SELPA has a responsibility to facilitate a balance and understanding of the continuum of services available to students with disabilities. SELPA staff will support statewide and local efforts in piloting and implementing curricular options and service delivery models designed to support children with a variety of learning needs. SELPA staff may assist teachers and staff in collaboration with LEA support.

### **Ongoing Review of Programs**

The State of California requires and conducts reviews of special education programs per state and federal requirements. It is the responsibility of the Fresno County SELPA to support the delivery of effective programs and services in its LEAs in order to assure a continuum of appropriate service options, to provide professional development to improve the quality of the programs offered, and provide ongoing review of programs. SELPA staff will participate in all state review processes and any local review processes (under the direction of the SGC and in conjunction with the Operations Committee and the CAC).

### **Procedures for Ongoing Review of Programs**

The Fresno County SELPA will participate in such review processes as the Quality Assurance/Special Education Self Review (SESR) process, the Procedural Safeguards and Complaints processes, Alternative Dispute Resolution (ADR) process, and mediation. The Fresno County SELPA will assure that adequate information related to all areas of compliance is available to member LEAs. This includes provision of current and research-based

information, resources, and support to all member LEAs. The Fresno County SELPA's goal is to support programs which provide educational benefit to students with disabilities and operate in compliance with state and federal laws. Each member of the Fresno County SELPA shall cooperatively participate in such procedures as defined by the Superintendents' Governance Council (SGC).

The Fresno County SELPA has taken the leadership in the implementation of Essential Facilitation for IEP meetings, Alternative Dispute Resolution (ADR) and technical assistance for mediation and due process hearings.

**Monitoring Activities for Correcting Any Identified Problem**

SELPA staff or staff employed to perform program specialist functions will provide assistance in correcting identified problems. The Fresno County SELPA provides, but is not limited to, the following monitoring activities for correcting any identified problem:

- The SELPA is responsible for developing and revising forms for student confidential files to maintain IDEA compliance;
- The SELPA establishes ongoing parent in-services and support through CAC activities and professional development opportunities to correct identified problems;
- Upon request, technical assistance is provided by the Fresno County SELPA to LEAs which operate programs and services;
- The SELPA disseminates CDE guidance, IEP guidelines, IDEA information, best practices, and legal updates necessary to maintain compliance and effective levels of services. These monitoring activities occur through regularly scheduled SGC and Operations Committee meetings, electronic mail communication and program specialist level assistance.

In cases of substantial, prolonged, noncompliance by an LEA, the SELPA Administrator may, but is not limited to the following:

- Conduct conferences with the LEA's Director of Special Education and/or the Superintendent;
- Notify the SGC and the Fresno County Superintendent of Schools of the substantial, prolonged, noncompliance by an LEA;
- In conjunction with the SGC, notify the LEA's Board of Education concerning the extent of the problem and recommended steps to resolve the problems;
- Withhold special education funding until the noncompliance is addressed, if approved by the SGC; and/or
- Utilize the funding withheld to assist the LEA in obtaining program compliance.

Other monitoring activities relevant to current needs and non-compliance will be mutually identified annually by the SGC.

## ALLOCATION OF RESOURCES

Federal and state special education funds shall be allocated to the Fresno County SELPA in accordance with policies and procedures adopted by the Superintendents' Governance Council (SGC). These funds are distributed to Local Educational Agencies (LEAs) according to an approved SELPA Funding Allocation Plan. Any changes to the allocation of federal and state special education funds shall be made by the SGC.

The governing boards of the LEAs participating in the Fresno County SELPA have authorized the SGC to be the designated authority to determine the distribution of federal and state special education funds on behalf of the LEA superintendents or equivalent administrators. The Fresno County SELPA Administrator is responsible to assure that the funds are distributed in accordance with the Fresno County SELPA's Funding Allocation Plan.

### **Funding for County Operated Special Education Programs and Services**

Special education programs operated by FCSS on behalf of the LEAs are supported by county special education property tax in addition to its other state and federal funds. Anticipated excess costs beyond property tax revenues are determined annually by the SGC, with input from the Executive Committee. Funding to support the anticipated excess costs is deducted from each LEA's allocation.

### **Distribution of Special Education Resources to LEAs for Operation of Special Education Programs and Services**

The SGC shall adopt policies for the allocation of special education funds to LEAs. The intent is to assure access and availability of services to all eligible students within the Fresno County SELPA. The Fresno County SELPA shall be responsible for the distribution of special education funds according to policies, procedures and the Funding Allocation Plan, including state apportionments, property tax, federal Local Assistance grants and other additional sources of revenue received by the Fresno County SELPA.

Funds are allocated for the provision of special education services to individuals with disabilities enrolled in LEAs in the Fresno County SELPA. Services may be provided through funds allocated to a district of residence, to another school LEA, to a charter LEA, to the Fresno County Superintendent of Schools (FCSS) or to the Fresno County SELPA office to assure access to a full range of program options.

The distribution of grant funds follows guidelines and required procedures. Such grants may include Preschool, Early Intervention Part C, Infant Discretionary, Personnel Development for Special Education Local Plan Areas, Low Incidence Equipment and Services, WorkAbility, Transition, Pre-kindergarten Staff Development and Alternative Dispute Resolution. Each LEA that receives funds shall establish and maintain the appropriate accounting records in accordance with and required by state and federal laws. LEAs shall expend these funds in accordance with all state and federal laws. Each LEA shall provide reports requested by the Fresno County SELPA in a timely manner.

Regionalized services and program specialist funds shall be allocated to the Fresno County SELPA office to support regionalized services and other administrative costs to operate the

Local Plan. The Joint Oversight Committee shall review and adopt budgets in accordance with Education Code.

**Local Control Funding Formula**

For students with disabilities served in a special day class, the LEAs and FCSS operated special education programs generate funding from the Local Control Funding Formula (LCFF). FCSS operated special education program budgets, through an MOU between FCSS and the LEAs, receive this revenue via a transfer. A separate special education actual daily attendance (ADA) transfer occurs from the FCSS's business department to the respective districts of residence. These dollars are not part of the Fresno County SELPA's Funding Allocation Plan.

## OPERATION OF SPECIAL EDUCATION PROGRAMS

The Fresno County SELPA Superintendents' Governance Council (SGC) approves allocation of resources for the provision of special education programs. Either an LEA or the Fresno County Superintendent of Schools (FCSS) special education programs are the providers of the services or programs. In addition, SELPA staff may be employed to provide areas of specialized expertise, which shall be available to LEAs and FCSS. Memorandums of Understanding (MOUs) or Exchange Agreements may be used to assure a full range of program options for students enrolled in LEAs in the Fresno County SELPA.

Fresno County SELPA and Fresno Unified School District provide special education services cooperatively as part of the continuum of program options. An Exchange Agreement between Fresno Unified and Fresno County SELPA shall be maintained in the SELPA office.

### **Annual Service Plan**

An Annual Service Plan shall be adopted at a public hearing held by the special education local plan area. Notice of this hearing shall be posted in each school district in the special education local plan area at least 15 days prior to the hearing. The annual service plan may be revised during any fiscal year according to the policymaking process established pursuant to subparagraphs (D) and (E) and paragraph (12) of subdivision (a) and consistent with subdivision (f) of Section 56001 and with Section 56195.9. The annual service plan shall include a description of services to be provided by each district and county office, including the nature of the services and the physical location at which the services will be provided, including alternative schools, charter schools, opportunity schools and classes, community day schools operated by school districts, community schools operated by county offices of education, and juvenile court schools, regardless of whether the district or county office of education is participating in the local plan. This description shall demonstrate that all individuals with exceptional needs shall have access to services and instruction appropriate to meet their needs as specified in their individualized education programs.

## MONITORING USE OF FUNDS

The LEA superintendent or equivalent administrator of each LEA which receives funds allocated by the Fresno County SELPA is responsible for monitoring the appropriate use of federal, state and local funds. Each LEA that receives federal grant “pass-through” allocations from the Fresno County SELPA shall complete and accurately report proposed budget expenditure reports and other required information.

The Fresno County SELPA Administrator and the Administrative Unit shall be responsible for monitoring the appropriate use of all funds allocated for special education programs and services.

### **Annual Budget Plan**

Fresno County SELPA is required to submit an Annual Budget Plan in accordance with EC 56205(b)(1). The purpose of the Annual Budget Plan is to monitor the appropriate use of federal, state and local funds and to provide the public with an overview of the resources available as allocated within the Fresno County SELPA. The Annual Budget Plan shall be adopted at a public hearing held by the Fresno County SELPA under the direction of the Superintendents’ Governance Council (SGC). The Annual Budget Plan shall include the following:

- A. Funds received in accordance with Chapter 7.2 (commencing with Section 56836).
- B. Administration costs of the plan;
- C. Special education services to pupils with severe disabilities and low incidence disabilities;
- D. Special education services to pupils with nonsevere disabilities;
- E. Supplemental aids and service to meet the individual needs of pupils placed in regular education classrooms and environments;
- F. Regionalized operations and services, and direct instructional support by program specialists in accordance with Article 6 (commencing with Section 56836.23) of Chapter 7.2;
- G. The use of property taxes allocated to the special education local plan area pursuant to Section 2572.

## CONTINUUM OF PROGRAM OPTIONS

The continuum of program options shall include, but not necessarily be limited to, all of the following or any combination.

### Services

#### **Designated Instruction and Services (DIS)/Related Services**

The following services are provided to eligible students ages 0 through 21. Each student's IEP team determines if the student requires DIS services that are required for a student with disabilities to benefit from special education in accordance with EC 56363. Services are provided by staff credentialed and/or licensed in appropriate areas of specialty. These services may include, but are not limited to, the following:

- Adapted Physical Education
- Audiology
- Positive Behavioral Intervention Support
- Braille Transcription
- Group Counseling
- Counseling and guidance, including rehabilitation counseling
- Health and Nursing --- Other Services
- Health and Nursing --- Specialized Physical Health Care
- Instruction in the home or hospital
- Language Speech and Hearing
- Sign Language Interpreter\*
- Note Taking\*
- Occupational Therapy
- Orientation and Mobility\*
- Orthopedically Impaired
- Parent counseling and training
- Psychological services, other than assessment and development of the IEP
- Physical Therapy
- Recreation services
- Social Work
- Specialized Driver Training
- Specialized Services for Low Incidence Disabilities
- Transition
- Vision services Vocational Counseling
- Vocational Education Training

\* Low Incidence Only

(Note: The CASEMIS manual and other regulations may change some definitions from year to year.)

## **Support for Students with Low Incidence Disabilities**

The Fresno County Superintendent of Schools (FCSS) staff provides specialized services, equipment, books and materials to students with Low Incidence disabilities. Low incidence disabilities include deaf-blind, deaf, hard of hearing, orthopedic impairment and/or visual impairment. Services are provided to eligible students using an inclusion model in the most appropriate and least restrictive setting. FCSS provides Low Incidence services and support for children, ages birth through 21 years.

### Audiology

Services are provided in the following areas:

- Hearing evaluation, including pure tone and speech thresholds, speech discrimination, acoustic impedance evaluation and otoscopic examination;
- Electroacoustic analysis of hearing aids and FM systems;
- Ordering, setting and maintaining individual and group FM systems;
- Custom ear molds for FM systems;
- Classroom acoustics analysis;
- Consultation for ordering and installing sound field amplification for classrooms;
- Hearing Conservation;
- Direct service to students;
- Collaboration with parents, teachers of the deaf or hard of hearing, classroom teachers, other professionals and agencies;
- Referrals to other professionals and/or agencies;
- Interpretation for specialized tests of auditory function, i.e. otoacoustic emissions, and Automated Brain Stem Response (ABR) evaluations.

### Deaf/Hard of Hearing

The program for students who are deaf or hard of hearing includes assessments, instruction, consultation and support services. Services are provided in the following areas:

- Collaboration with parents, classroom teachers, audiologists, other professionals and agencies;
- Direct academic instruction;
- Remediation of language impairment;
- Maintenance of specialized amplification equipment;
- Monitoring of personal hearing aid functioning;
- Teaching skills in auditory training, speech-reading, etc;
- Implementation of classroom modifications or accommodations.

### Orientation and Mobility (O&M)

The orientation and mobility instruction program includes assessments, instruction, consultation and support services. The following services are provided:

- Collaboration with teachers of the visually impaired, parents, classroom teachers, and other professionals and agencies;
- Direct instruction enabling independent travel that includes: concept development, body imagery, laterality, directionality, environmental concepts, fine and gross motor skills,

sensory awareness, sighted guide and protective techniques, use of residual vision, cane travel, methods of traveling a route, mapping skills, use of public transportation, emergency procedures, self help skills and appropriate behavior;

- Instruction and incorporation of terminology for O&M;
- Environmental modification and adaptation for the home and school.

### Orthopedically Impaired

The program for the students with orthopedic impairments provides assessment, instruction, consultation, interventions, modifications, and adaptations. The following services are provided:

- Collaboration with parents, classroom teachers, other professionals and agencies;
- Direct instruction;
- Training for families and other staff about students' orthopedic needs related to educational progress;
- Assistance in planning and implementing transition activities.

### Visually Impaired

The program for students with visual impairments provides assessment, instruction, consultation and support services. The following services are provided:

- Collaboration with parents, classroom teachers, other professionals and agencies;
- Direct academic instruction;
- Keyboarding and Braille instruction;
- Improvement of skills in daily living and other areas of development as they relate to educational benefits;
- Operation of specialized equipment such as Brailnotes, Braillewriters, magnifiers, monoculars, adaptive computer software and audio tapes.

### Other Services

Other services available may include but are not limited to the following:

#### Assistive Technology

Assistive Technology (AT) is any piece of equipment or product that is used to increase, improve or maintain the functions and capabilities of children with disabilities. The term does not include a medical device that is surgically implanted, or the replacement of that device. AT may be used to help students access the educational curriculum through: positioning, environmental controls, computer adaptations, assistive listening devices, visual aids, mobility equipment, augmentative communication systems, computer based instruction, recreation and self-care.

“Assistive technology service” means any service that directly assists a student with a disability in the selection or use of an assistive technology device that is educationally necessary. The term includes the evaluation of the needs of a student with a disability, including a functional evaluation of the student in the individual's customary environment; coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education programs and rehabilitation plans and programs; training or technical assistance for a student with exceptional needs or, where appropriate, the family of

the student; and training or technical assistance for professionals (including individuals providing education and rehabilitation services), employers or other individuals who provide services to, employ, or are otherwise substantially involved in the major life functions of individuals with exceptional needs. Periodic Assistive Technology and related workshops are provided.

### Autism Specialist

This service provides support through consultation with staff, parents, and students in areas related to autism, inclusion strategies, and positive behavior support. In-service and training opportunities related to autism and intervention strategies are provided throughout the year. Evaluation and assessment consultation assistance is available. The Autism Specialist has advanced training in the following areas:

Applied Behavior Analysis (ABA): Discrete Trial Teaching (DTT), Behavioral Management, Task Analysis, Backward Chaining

- Treatment and Education of Autistic and related Communication Handicapped Children (TEACCH) techniques
- Picture Exchange Communication System (PECS)
- Sensory Integration (SI) methodology and techniques
- Relationship Development Intervention (RDI)
- Social Skills Interventions: Social Stories, Comic Strips, Social Autopsies, Circle of Friends

Training and support may be provided through any combination of skills, strategies, and settings, to provide a well-rounded, supportive, and individualized program for each student.

### **Comprehensive Positive Behavior Supports**

The Comprehensive Positive Behavior Support (CPBS) Team provides services to individual students with challenging behaviors within the Fresno County SELPA in collaboration with the referring school team. Positive Behavior Supports uses educational and systems change methods to minimize problem behavior and increase pro-social behavior. The CPBS Team assists school teams and caregivers with creating conditions that will help individual students progress socially and academically with the ultimate goal of reducing or eliminating episodes of problem behavior. School teams can make referrals to the CPBS team and be eligible for support with individual students once a completed referral has been submitted the SELPA. CPBS services and supports are available to students with an active IEP. Once a referral has been accepted the following are components of the services that may be provided through the CPBS Department as appropriate:

- Assistance with identifying and defining the target problem behavior.
- Assessment of behavior including functional behavior assessment.
- Assistance with revising and implementing Behavior Support Plans with methods grounded in applied behavior analysis.
- Assistance with development of a data collection method.
- Assistance with development of behavior interventions.
- Training for school staff in implementation of positive behavior support methods and interventions.

- Observations and feedback on individual student behavior.
- Facilitation of collaboration between school teams/LEAs and community agencies for the purpose of meeting the needs of individual students.

### **Positive Behavior Intervention and Supports (PBIS)**

Positive Behavior Interventions and Supports (PBIS) is a systems approach to behavior with a focus on enhancing the capacity of schools, families, and communities. PBIS links research-validated practices and school environments in order to improve school climate and promote positive student behavior. PBIS provides a framework for systems change in schools within a 3 tiered model. The PBIS framework addresses all student behavior and encompasses early screening and identification of students at-risk for mental health and behavioral problems. PBIS practices range from providing universal supports to all students as well as individualized supports depending on the unique needs of each student. PBIS provides a proactive approach to addressing student behavior with an emphasis on prevention and early intervention. PBIS is an effective method for increasing school safety, enhancing student's social-behavioral skills, and creating a more positive school climate.

A three year training cycle has been established and is available to schools within the Fresno County SELPA who elect to adopt PBIS practices within their school setting. Participation in the training cycle requires each school to have a dedicated team of members and further requires teams to attend all trainings and to participate in data reporting as set forth by the SELPA.

### **Vocational and Career Education**

The Fresno County SELPA offers vocational and career education opportunities that provide trainings and resources to assist students to transition from high school to a variety of post secondary options. Collaborative relationships and partnerships with local, state and federal agencies are maintained to assist LEA staff members to support their students with disabilities. The Transition Partnership Program (TPP) is a collaborative between the Fresno County SELPA and the Department of Rehabilitation. The TPP project provides career/vocational preparation instruction, vocational interest inventories and assessment through classroom instruction, vocational assessment and counseling, skills training and work experience. The Fresno County SELPA staff addresses the following vocational and career education resources for in-school youth with disabilities:

- Program management and services for the Fresno County SELPA; Department of Rehabilitation, Transition Partnership Program;
- Work with local Regional Occupational Programs (ROP) and LEA personnel to develop and implement academic, vocational and career education options that will assist students with disabilities;
- Consultation to identify and assist in the development of vocational education goals and objectives in the writing of IEPs and Individual Transition Plans (ITPs);
- Provision of a battery of career interest and vocational assessment instruments applicable for teacher use;
- Provision of vocational/career education in-service trainings;
- Linkages with local community colleges, universities and agencies that provide services for students with disabilities;

- Vocational evaluation and assessment, job development and job training including WorkAbility wage-based training for in-school youth;
- Referral to the Transition Partnership Program or other secondary skills or academic training.

### **WorkAbility**

This program serves eligible students with a disability identified through the IEP process. WorkAbility is provided to coordinate a work-training model of work experience in the private sector for unskilled youth needing employability skills. Students are provided with a variety of vocational preparation opportunities including:

- Classroom instruction;
- School-based student training emphasizing pre-employment job seeking skills, job behaviors and employment opportunities;
- Work experience credit;
- WorkAbility stipend paid training;
- Paid work experience and on-the-job training by cooperating community agencies.

### **Settings**

Whenever special education settings include non-identified students, School Site Plans (i.e. School-based Coordinated Program) requirements must be met. Settings may include but are not limited to:

### **Resource Specialist Program (RSP)**

The Resource Specialist Program (RSP) of the Fresno County SELPA shall be in compliance with E.C. 56362 by using the following guidelines and procedures.

The RSP shall include, but not be limited to the following:

- Provision for a resource specialist or specialists who shall provide instruction and services for those pupils whose needs have been identified in an Individualized Education Program (IEP) developed by the IEP team and who are assigned to regular classroom teachers for a majority of a school day. Provision of information and assistance to individuals with exceptional needs and their parents;
- Provision of consultation, resource information, and material regarding individuals with exceptional needs to their parents and to general education members;
- Coordination of special education services with the regular school programs for each individual with exceptional needs enrolled in the resource specialist program;
- Monitoring of pupil progress on a regular basis, participation in the review and revision of IEPs;
- Emphasis at the secondary school level on academic achievement, career and vocational development, and preparation for adult life;
- Assigning personnel to the RSP who meet regulations and competencies established by the Commission on Teacher Credentialing;
- Provision of Pre-referral Intervention, Response to Interventions, (RtI).

The caseload does not exceed 28 pupils in an individual Resource Specialist Program. Waivers from the State Board of Education are requested for caseloads that exceed 28.

At least 80% of the Resource Specialists within the Fresno County SELPA shall be provided with an instructional aide. [E.C. 56362(f)] Fresno County SELPA resource specialists shall not simultaneously be assigned to serve as resource specialists and to teach regular classes. [E.C. 56362(d)]

### **Resource Specialist (RS) Inclusion Support and Designated Instructional Service (DIS) Inclusion Support**

A RS or DIS inclusion specialist may maintain a caseload of pupils with IEPs who are placed in general education classrooms for a portion of the instructional day, provided that the RS or DIS inclusion specialist provides direct instruction to students and support to the general education teachers in such areas as curriculum modification, instructional strategies, and program coordination.

### **Resource Specialist Program (RSP) – Pull Out**

Instructional services are provided to eligible students who require small group instruction and/or classroom modifications to benefit from general education. A student is usually served in the RSP for less than the majority of the school day. However, a student may also be enrolled for more than 50% of the school day on the RSP caseload per Education Code requirements. [E.C. 56362(e)] Additionally, RS pullout services may be accessed as part of a tiered approach to RtI.

### **Learning Center**

Each LEA or program provider may elect to provide special education services, using a learning center model, provided the LEA assures that all IEP goal/objectives and services are met. In the learning center model all pupils are assigned to age appropriate general education classrooms for appropriate activities. The learning center may include services previously provided in a Special Day Class (SDC) or RSP.

The purpose of a learning center is to provide specific skill acquisition and intensive instruction to support the content of the general education curriculum for identified and non-identified students which cannot otherwise be achieved in the general education classroom even with the use of supplementary aids and services.

### **Collaborative Special Day Class (SDC) in General Education Setting**

Each LEA or program provider may create collaborative SDCs by merging a complete SDC with a general education classroom. Team teaching shall be provided as long as the LEA assures that all IEP goals/objectives and services are met and that general education pupil's families have been fully informed.

### **Blended Special Education Services**

LEAs may provide blended services between SDC teachers and RSP teachers provided that the IEP specifies the services and providers for each service. Pupils may receive services from both SDC and RSP per the IEP. The IEP shall designate the student's case manager.

### **Departmentalized Special Education Services**

LEAs may provide departmentalized services for middle and high school programs, blending services between SDC teachers and RSP teachers provided the IEP specifies the services and providers for each service. Pupils may receive services from both SDC and RSP per the IEP. The IEP shall designate the student's case manager.

### **LEA Operated Special Day Classes (SDC-SD) and Special Centers for Individuals with Moderate to Severe Disabilities**

As part of the full continuum of county-wide special education services, regional programs for students with moderate to severe disabilities, ages 3 to 22 years, are provided in LEA operated classes throughout Fresno County. Key program components include utilization of a team approach incorporating student and parent input, as well as interagency collaboration, in order to develop an individualized education program that addresses each student's abilities and level of independence. Curriculum and instruction for K-12 students served in LEA operated special day classes (SDC-SD) located on LEA campuses emphasize skill acquisition in functional academics, vocational, recreation and leisure, community, domestic and self-help, social and behavioral, communication, and motor/mobility domains, and are aligned to the alternate achievement standards assessed on the California Alternate Performance Assessment (CAPA). Students receiving services in Special Centers are provided instruction in the same curriculum domains with intensive supports and services to meet their unique individual health-related and/or behavioral needs. For students between the ages of 18 and 22 years, the Adult Transition Program serves as a link between the public school system and the world of post-school adult services. Classes are located on LEA, university, community college, adult school campuses and community-based sites, and emphasis is placed upon preparing each student for the transition to adult life. A large part of the program utilizes community-based natural environments for instruction in order to encourage students to become active participants in their local community.

### **Special Day Class (SDC) on Integrated Sites**

Students eligible for these classes require special education services for the majority of their school day. Services include more intensive and specialized instruction aligned with grade level California State Content Standards. An SDC teacher may maintain pupils within the SDC caseload that are included in general education for a portion of the instructional day. This is an option for successful transition to general education.

The IEP shall indicate the amount of time the pupil shall be served in the SDC setting. The SDC teacher may provide support to the general education teacher in such areas as team teaching, curriculum modification, and instructional strategies.

### **Intervention Program for Social/Emotional Disabilities**

FCSS operates programs for students who have social/emotional disabilities that adversely affect their educational performance to a degree that they cannot function in an SDC in their home LEA.

These programs include an emphasis on a cognitive/developmental approach to behavior management, improving social skills, and academics. Outside agencies may address and support mental health issues.

The Intervention Program provides services to students from kindergarten through twelfth grade with serious learning, behavioral and emotional problems after all program options and resources have been attempted in their LEA. The Intervention Program serves all LEAs within the Fresno County SELPA. The Intervention Program's educational team consists of special education teacher(s), nurse(s), speech and language pathologist(s), and school psychologist(s).

The Intervention Program is comprised of the following components:

- **Intervention Classrooms (Emotionally Disturbed)**

Placement in the Intervention Classroom is designed for students within the Fresno County SELPA who meet educational criteria for Emotional Disturbance and have emotional and behavioral problems that prevent them from being educationally successful in their home LEA. The goals of the program are as follows:

- Stabilize behavior within the intervention classroom format;
- Determine effective educational and behavioral interventions;
- Improve the student's interpersonal skills;
- Help students develop adaptive emotional and behavioral responses to environmental stressors;
- Help students develop self-monitoring and self-control skills;
- Reintroduce the student, when and if appropriate, to his/her school and community via collaboration between the home LEA and the intervention staff through development of a transition plan;
- High school classrooms that emphasize social-emotional development and maintaining credits towards high school graduation.

### **Infant & Toddler Program**

The Infant and Toddler program serves eligible children ages birth to 36 months. Services are provided in the child's natural environment(s).

The following services are provided:

- Assessment and direct intervention;
- Collaboration and coordination of services between agencies;
- Development of the Individualized Family Service Plan (IFSP) in collaboration with families and agencies;
- Consultation, coordination, and provision of case management services with other FCSS specialists including: special education nurses; school psychologists; speech and augmentative communication specialists; and teachers with specialized training in serving children with visual impairment, hearing loss, orthopedic impairments, or traumatic brain injury;
- Transition planning, implementation, and follow-up.

### **Preschool Assessment Team**

The Preschool Assessment Team (PSAT) provides services to children 3-5 years of age. The team consists of a speech-language pathologist, school psychologist, and nurse. Assessments of children 3-5 years of age are completed in the home, school, day care, or FCSS preschool assessment room. Other specialists and personnel from involved agencies may be included in the assessment process. Parents are integral members of every assessment.

The PSAT may do the following:

- Screen children to determine the need for complete evaluation;
- Evaluate children in areas of suspected disabilities;
- Collaborate with families and appropriate school personnel to develop Individual Educational Plans (IEPs);
- Assist with transition of infant and preschool students.

### **Comprehensive Instruction Reinforcing Collaborative Learning Environments (CIRCLE Program)**

The CIRCLE program is designed to meet the educational needs of children with autism who have significant language, social, and behavioral needs. These needs are addressed through a developmentally appropriate curriculum aligned with state standards and based on empirically validated instructional methodologies. The comprehensive education program is based on the principles of behavior intervention and includes, but is not limited to the following:

- Structured environment with well-defined areas for different activities; concrete, predictable routines; and schedules emphasizing visual cues;
- The methodologies of PECS, TEACCH, Social Stories, PRT and Intensive Behavior Intervention;
- Ongoing evaluation of student progress;
- Family support, training, and inclusion;
- Pivotal Response Training (PRT).

## COMMUNITY ADVISORY COMMITTEE (CAC) SELECTION AND APPOINTMENT PROCEDURES

In accordance with E.C. 56190-56194, the Fresno County SELPA Superintendents' Governance Council (SGC) assures that each designated Local Educational Agency (LEA) selects and appoints a representative to the Community Advisory Committee (CAC). Each designated LEA shall appoint one parent/guardian of a student with disabilities who has received or is currently receiving special education services and in addition, the LEA may also appoint one member from special or general education teaching staffs, a parent of a nondisabled pupil, or a member of a local agency's staff. Each designated LEA shall notify the Fresno County SELPA office of their CAC appointment by October 1<sup>st</sup> of each year. CAC members report to their LEA regarding CAC activities and solicit recommendations for committee consideration and setting of priorities to be address by the Local Plan. Relevant issues are then given to the Fresno County SELPA Operations Committee for review and consideration if appropriate.

Each member may be appointed by the local governing board of each LEA for at least a two-year term with not more than 50% of the committee replaced annually.

The majority of CAC members are required to be parents of special education pupils enrolled in schools participating in the Local Plan. Parents of general education pupils are also encouraged to participate as members of the CAC.

Meetings are held in a convenient location within the county. The schedule of meetings shall be developed annually.

CAC members are encouraged to meet with school administrators, special education teachers, and special education pupil's parents/guardians and service providers to discuss issues relevant to the education of all special education pupils. The Chairperson of the CAC reports on issues and on activities of the CAC to the Operations Committee for their review and consideration. Additional responsibilities include involvement in the development, amendment, and the review of the Local Plan.

A SELPA staff member will be responsible for regular communication and will facilitate coordination of CAC activities.

### **CAC Community Involvement and Parent Education**

CAC members will help distribute information to parents in regards to educational programs offered in conjunction with the CAC, Fresno County SELPA, Regional Coordinating Council (RCC), other community agencies and organizations. Informational materials will be produced and made available to parents upon request and through the Individualized Education Program (IEP) process regarding services available through the Fresno County SELPA. Parents may participate in parent education programs offered regularly by the CAC, by the Fresno County SELPA, Region 7 RCC, other community agencies and organizations.

### **CAC Supporting Activities**

CAC members provide support for activities that affect individuals with exceptional needs such as Special Olympics, legislative issues, legal and IDEA regulations, independent living skills

and advocacy services that have an effect on the educational services to children with disabilities and their families.

**CAC Parent Awareness**

The CAC will assist in parent education including parent awareness of the importance of regular school attendance and other issues relevant to pupil needs. The CAC also assists in recruiting parents and other volunteers who may contribute to the implementation of the plan. All CAC activities and meetings are publicized throughout the schools and representative agencies. Copies of the Local Plan are available for review by parents, and the general public at the office of each LEA administrator and the County Superintendent of Schools.

## PUBLIC PARTICIPATION

Members of the public, including parents or guardians of students with disabilities who are receiving services under the Local Plan, may address questions or concerns to the governing boards of the Local Educational Agencies (LEAs), the Superintendents' Governance Council (SCG) and the Fresno County SELPA Administrator.

All notices of SGC meetings are sent electronically to all member LEAs and posted at the Fresno County Superintendent of Schools (FCSS) 48 hours prior to the scheduled meeting. The method by which questions and/or concerns are heard from the public to SGC is included on each agenda as "Community Input". The public may address the Fresno County SELPA SGC pursuant to established procedures. No action shall be taken (E.C. 35145.5) at the meeting in response to Community Input. On matters of policy and budget development, all interested parties are welcome to provide input to the Fresno County SELPA Administrator and to the respective standing committees of the SCG for consideration and review.

## DISPUTE RESOLUTION PROCESS

In order to assure the continual delivery of quality services to children with disabilities, a process for dispute resolution of grievances in the responsibility for service provision, governance activities, or the distribution of funding must be in place as specified in the Local Plan

If a dispute arises over the responsibility for service provision, governance activities, program transfer, or the distribution of funding or if an LEA, group of LEAs, or a county office believes that an action taken by the Fresno County SELPA Superintendents' Governance Council (SGC) will create an undue hardship on the LEA(s) or county office, or that the action taken exceeds the authority granted the SGC within the Local Plan and/or state or federal statute, the aggrieved LEA(s) or county office may request a review of the action by an Independent Dispute Review Panel.

Any request for such a review must be submitted in writing to the Fresno County SELPA Administrator within 30 working days of the action taken by the SGC. The written request must clearly identify the reason(s) for the request and the potential resolution(s) to the problem. The request will first be reviewed by the appropriate standing committee, which will be the Executive Committee and/or Joint Oversight Committee, which will attempt to resolve the dispute. The SGC will review the recommendations and determine if there is an acceptable resolution between the parties involved, i.e. LEA(s) or county office. If resolution requires action to be taken by the SGC, the item will be placed on the agenda accordingly.

### **Independent Dispute Review Panel for Mediation**

If the LEA(s) or county office cannot come to a resolution at the standing committee level, an Independent Dispute Review Panel will be the designated entity for mediation. The Fresno County SELPA Administrator, in cooperation with the Chair of the SGC, and the LEA(s) or county office, will consider the concerns of the disputants and will prepare and submit written briefs (facts) of the issue(s) to an Independent Dispute Review Panel.

To establish an Independent Dispute Review Panel, the Fresno County SELPA Administrator shall establish a list of persons from nearby SELPAs, LEAs, or county offices outside of Fresno County, who are knowledgeable in the area of special education and who would be willing to serve as a member of this panel.

From the list of available panel members, the LEA(s) or county office that requested the review, and the Fresno County SELPA Administrator, in cooperation with the Chair of the SGC, shall each select a representative for the panel. These representatives then select one additional neutral member from the list to serve as chairperson. The panel shall meet as often as necessary within 30 working days of receipt of briefs to consider the facts of the complaint as presented in writing and work to mediate a resolution between the parties involved. The determination shall be made from the written briefs submitted to the panel along with pertinent information discovered through the mediation process. If resolution is achieved, the panel will submit its recommendations within 30 working days to the Fresno County SELPA Administrator, who will forward to the SGC.

### **Final and Binding Arbitration**

If the Independent Dispute Review Panel cannot mediate a resolution, then the report and recommendations from the Independent Dispute Review Panel will be forwarded to the SGC whose decision will be final and binding upon the parties involved.

After studying the report of the review panel and at the next scheduled meeting of the SGC, the SGC must take one of the following actions:

- Vote to reaffirm the previous action of the SGC.
- Vote to rescind the previous action of the SGC.
- Vote to modify the previous action of the SGC to comply or partially comply with the recommendations of the Review Panel.

All voting is to be done in accordance with the weighted voting procedures specified in the Local Plan.

Any costs resulting from this process are to be shared equally by the LEA(s) which requested the review and the Fresno County SELPA.

## LITERACY

The Local Educational Agencies (LEAs) that comprise the Fresno County SELPA shall assure that students who require special education will participate in the California Reading Initiative in order to improve educational results.

Special education instructional personnel will participate in staff development in-service opportunities in the area of literacy that include the following:

- Information about current literacy and learning research, including instruction in systematic, explicit phonics and phonemic awareness;
- State-adopted standards and frameworks;
- Increased participation of students with disabilities in statewide student assessments;
- Research-based instructional strategies for teaching reading to a wide range of diverse learners in order to increase the percentage of children with disabilities who are literate.

The LEAs that comprise the Fresno County SELPA shall also assure the students with disabilities will have full access to all required core curriculum including state-adopted core curriculum textbooks and supplementary textbooks, instructional materials and support in order that students with disabilities attain higher standards in reading.

*[Reference State Board Requirement 2/10/99]*

**APPENDIX A**

# Fresno County SELPA

**Region Representation of Participating LEAs**

**REGION I**

Central Unified

Sierra Unified High School Designated Attendance Area

    Big Creek Elementary

    Pine Ridge Elementary

    Sierra Unified

**REGION II**

Fowler Unified

Kingsburg High School Designated Attendance Area

    Clay Joint Elementary

    Kingsburg Joint Union Elementary (Charter LEA)

    Kingsburg Joint Union High

Kings Canyon Joint Unified

Parlier Unified

Sanger Unified

Selma Unified

**REGION III**

Caruthers Unified High School Designated Attendance Area

    Alvina Elementary (Charter LEA)

    Caruthers Unified

    Monroe Elementary

    Raisin City Elementary

Coalinga-Huron Joint Unified

Firebaugh/Las Deltas Unified

Golden Plains Unified

Kerman Unified

Laton Unified

Mendota Unified

Riverdale Unified High School Designated Attendance Area

    Burrel Union Elementary

    Riverdale Unified

    Westside Elementary

Washington Unified High School Designated Attendance Area

    Orange Center Elementary

    Pacific Union Elementary

    Washington Colony Elementary

    Washington Unified

    West Park Elementary

**REGION IV**

Fresno County Superintendent of Schools Attendance Area

    County Operated Special Education Programs