

Special Education Local Plan Area (SELPA) Local Plan

SELPA

Fiscal Year

LOCAL PLAN

Section B: Governance and Administration

SPECIAL EDUCATION LOCAL PLAN AREA



California Department of Education

Special Education Division

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

Participating Local Educational Agencies

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

Special Education Local Plan Area—Local Plan Requirements

1. Describe the geographic service area covered by the local plan:

The Mt. Diablo Unified School District meets the size and scope requirements to operate as a single district Special Education Local Plan Area (SELPA). It covers the cities of Concord, Pleasant Hill; portions of Pittsburg, Walnut Creek and Martinez, unincorporated areas including Lafayette, Pacheco, and Bay Point. We operate 2 preschools, 31 elementary schools, 9 middle schools, 5 comprehensive high schools and various alternative education programs, including an independent study program, an adult school, a community day school and a program for pregnant and parenting teens.

The Governing Board of the District elects to operate as a single district SELPA, and as such, it is the governing body of this Plan and is solely responsible for the development and approval of policies governing this Local Plan for special education. The Mt. Diablo Unified School District has the responsibility to assure access to special education and services for all eligible individuals with disabilities residing in the geographical area served by the District.

2. Describe the SELPA regional governance and administrative structure of the local plan. Clearly define the roles and structure of a multi-LEA governing body, or single LEA administration as applicable:

The governing body of Mt. Diablo Unified SELPA is the Board of Education of Mt. Diablo Unified School District.

The Mt. Diablo Unified School District Board of Education shall:

1. Exercise authority over, assume legal responsibility for, and be fiscally accountable for special education programs operated by the Mt. Diablo Unified SELPA.
2. By approving the Local Plan, enter into an agreement with other agencies participating in the plan for purpose of delivery of regional services and programs.
3. Review and approve revisions of the MDUSD Local Plan for special education.
4. Participate in the governance of the Mt. Diablo Unified SELPA through its designated representative, the Chief/SELPA Director.
5. Appoint members to the Community Advisory Committee

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Mt. Diablo Unified SELPA, pursuant to Section 56195 of the California Education Code has the responsibility to adopt a plan in accordance with California Education Code 56200 to assure access to special education and services for all eligible individuals with disabilities residing in the geographic area served Mt. Diablo Unified SELPA.

3. Describe the SELPA's regional policy making process. Clearly define the roles of a multi-LEA governing body, or single LEA administration as applicable related to the policy making process for coordinating and implementing the local plan:

Policies governing the Mt. Diablo Unified SELPA shall be adopted by the Mt. Diablo Unified School District Board of Education and are included as part of the Local Plan. Input may be received from the parents, staff, public and nonpublic agencies and members of the public at large. The Community Advisory Committee shall review the Mt. Diablo Local Plan and recommend modifications as necessary. All such modifications shall be subject to input processes prior to incorporation within the plan. The Chief/SELPA Director shall assist with these reviews.

Policies to be addresses by the Mt. Diablo Unified School District shall include but not be limited to

- 1- Free Appropriate Public Education
- 2- Full Educational Opportunity
- 3- Child Find
- 4- Individualized Education Program and Individualized Family Service Plan

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

4. Clearly define the roles of the County Office of Education (COE) as applicable, and/or any other administrative supports necessary to coordinate and implement the local plan:

The district develops the local plan with input from the Community Advisory Committee. (Education Code 56001(f)). The district shall cooperate and collaborate with the county office in developing the plan and shall submit the plan to the county office for review once complete. (Education Code 56195.3).

The Mt. Diablo Unified SELPA ensures that a full continuum of programs options is available and has determined that:

- 1- Program options, appropriate to the student's need, are available at local neighborhood schools.

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2- The majority of special education programs are housed in regular school campuses throughout the SELPA.

3- When scarcity of population or other factors prohibit placement for a student within programs operated by Mt. Diablo Unified School District, the student may receive services in alternative placements including in those programs operated by the Contra Costa County Office of Education.

4- The Contra County Office of Education offers programs to serve students with IEPs, or enrolled in county juvenile schools.

5. Describe the policies and procedures of the SELPA that allow for the participation of charter schools in the local plan:

This policy applies to all charter schools that are chartered by the Mt. Diablo Unified SELPA. This policy also applies to any charter school petition granted by the State Board of Education (SBE) in which oversight responsibilities have been assigned to the Mt. Diablo Unified SELPA (EC4605.5 (k)(1)).

As students enrolled in charter schools are entitled to special education services provided in a similar manner to students enrolled in other public schools, the charter schools will comply with all requirements of state and federal law regarding provision of special education services (EC 56000et.seq., Individuals with Disabilities Education Act (IDEA) [20 U.S.C. Chapter 33] Americans with Disabilities Act). This policy does not apply to a charter school that was chartered by, or assigned to, an entity that is not a member of the SELPA.

As students enrolled in charter schools are entitled to special education services provided in a similar manner to students enrolled in other public schools, charter schools within the SELPA shall not discriminate against any pupil in its admission criteria on the basis of disability.

Charter petitioners must delineate in their petition or in a Memorandum of Understanding (MOU) the entity responsible for providing special education instruction and services. This document must reference any anticipated transfer of special education funds between the granting entity and the charter school and any provisions for sharing deficits in funding. This document must affirm, in writing, that the district where the students reside, if different from the chartering entity, is not responsible for providing special education services to students that are enrolled in the charter school. The written agreement must also state that prior to final approval of a request to be deemed an LEA, the charter school will be deemed a public school within the chartering entity.

APPROVAL AND RENEWAL OF CHARTERS

Prior to approval of a new charter school, or renewal of an existing charter school, the Chief/SELPA Director shall consult with the Superintendent and Governing Board of the District, or designee, to ensure that the charter school responds to District and SELPA guidelines and timelines as they relate to special education. The Chief/SELPA Director shall review all

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proposed charter petitions, including petitions for renewal, and advise the Superintendent and Governing Board on whether the petition contains reasonable assurances that all eligible students enrolled in the charter school will receive appropriate special education services in accordance with state and federal law and the SELPA Local Plan for Special education.

REQUIRED CONTENTS OF CHARTER PETITIONS

Petitions must provide that no student otherwise eligible to enroll in the charter school will be denied enrollment due to a disability or to the charter school's inability to provide necessary services. Each charter petition must also contain a reasonably comprehensive description of the charter school's educational program, as it relates to the provision of special education services, including the following:

1. The specialized instruction and services available at the charter school;
2. The procedure for ensuring that students are referred, assessed, and served in a timely manner;
3. Assurances that staff members providing special education services are appropriately credentialed;
4. Assurances that the facility used by the charter school does not present physical barriers that would limit an eligible student's full participation in the educational and extracurricular programs and that the school will comply with Section 504 of the Rehabilitation Act of 1973 (334 CFR 104, hereinafter "504");
5. Assurances that disenrollment, suspension, and expulsion procedures comply with the protections of federal and state law afforded to special education and 504 eligible students; and
6. Dispute resolution procedures that will apply to any disputes between educational entities, including the SELPA, regarding provision of special education services in the charter school.

CATEGORIES OF CHARTER SCHOOLS

For the purpose of providing special education services, charter schools shall be deemed either a public school within the chartering district, or an LEA that receives funds and provides services independent of the chartering entity. All approved charter schools will be deemed public schools within the chartering entity until the charter school has been deemed an LEA and accepted into a SELPA.

PUBLIC SCHOOL WITHIN THE SCHOOL DISTRICT

Charter schools that are deemed to public schools within the chartering entity will participate in state and federal funding in the same manner as other schools or programs within the chartering entity. The chartering entity will be responsible for ensuring that all children with disabilities enrolled in the charter school receive special education and designated instruction and services in a manner that is consistent with all applicable provisions of state and federal law. The chartering entity will determine the policies and procedures necessary to ensure that the protections of special education law extend to students in the charter school in the same manner as students enrolled in other schools or programs administered by the chartering entity.

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The chartering entity will:

1. Receive all applicable special education funds as specified in the SELPA Assembly Bill 602 funding Allocation Plan. The allocation per ADA in the charter school will be the same as that received by the chartering entity;
2. Represent the needs of the charter school in the SELPA governance structure;
3. Be responsible for ensuring that all eligible students enrolled in the charter school are appropriately referred, assessed and served in a timely manner;
4. Be responsible for procuring and funding appropriate special education services, wherever the student may reside; and
5. Provide necessary special education services or contract for these services with public or non-public educational agencies.

When the chartering entity is the District, the charter school must be held fiscally responsible for a fair share of any encroachment on District general funds that is created by the provision of special education services throughout the District. The District and the charter school may enter into agreements whereby the charter school is billed for excess costs associated with providing special education services to identified students, including the administration of special education programs.

CHARTER SCHOOLS AS A LOCAL EDUCATION AGENCY (LEA)

If a charter school wishes to be an LEA, they must apply to a district in a multi-district SELPA for authorization of their charter. Should a charter school apply to be an LEA, the SELPA will treat applications by charter schools to be independent LEAs in the same manner that the SELPA treats applications by other districts and LEAs and may refer such applications to neighboring multi-district SELPAs.

Denial of Petition

The board shall deny any charter petition that:

- 1- proposes to operate a charter school as or by a for-profit educational management organization, or a for-profit charter management organization (ED 47604)
- 2-authorizes the conversion of a private school to a charter school (EC47602)
- 3-proposed to serve students in a grade level that is not served by the district, unless the petition proposed to serve students in all the grade levels served by the district (EC47605)

Any other charter petition shall be denied only if the Board makes written factual findings specific to the petition that one or more of the following conditions exist:

- 1-The petition does not contain an affirmation of each of the conditions described in EC 47605(d)
- 2-The petition does not contain reasonably comprehensive descriptions of the charter provisions in EC 47605(b)
- 3- The petition does not contain a declaration as to whether or not the charter school shall be deemed the exclusive public school employer of the school's employees for the purposes of collective bargaining pursuant to Government Code 3540-3549.3

The board shall not deny a petition based on the actual or potential costs of serving students with

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disabilities not shall it deny a petition solely because the charter school might enroll students with disabilities who reside outside the SELPA in which the district participates.

If the Board denies a petition, the petitioners may choose to submit the petition to the County Board of Education and, if then denied by the County Board, to SBE (EC 47605)

6. Identify and describe the representation and participation of the SELPA community advisory committee (CAC) pursuant to EC Section 56190 in the development of the local plan:

Board Policy 430(a) Local Plan for Special Education

The district develops the local plan with input from the Community Advisory Committee. (Education Code 56001(f)). The district shall cooperate and collaborate with the county office in developing the plan and shall submit the plan to the county office for review once complete. (Education Code 56195.3). The final plan shall be submitted to the Superintendent of Public Instruction (Education Code 56195, 56195.1(a)).

Board Policy 430(b) Local Plan for Special Education

The local plan shall establish a Community Advisory Committee, which will act in an advisory capacity to the Board. (Education Code 56190). The committee is to be formed with members appointed by, and responsible to, the Board. The local plan shall describe procedures by which the Board shall establish a SELPA Community Advisory Committee and its membership. (Education Code 56191). The committee is composed of parents of individuals with exceptional needs and other students, students and adults with disabilities regular and special education teachers, administrators, and representatives from other public and private agencies. (Education Code 56192). Both the teachers and parents who are involved in development of the local plan are to be selected by their peers. (Education Code 56195.3).

The local plan vests the Committee with authority to fulfill the responsibilities defined for it in the local plan. This committee shall advise the Board in the development, amendment and review of the local plan, recommend annual priorities to be addressed by the plan, promote parent/guardian and community involvement, assist in parent/guardian education and support activities on behalf of individuals with exceptional needs. (Education Code 56190-56194).

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

- 1- advise in the development, amendment and review of the Local Plan,
- 2- facilitate parent training on special education programs and issues identified by parents in the CAC,
- 3- support district wide and school wide activities on behalf of students with disabilities,
- 4- encourage community involvement in schools,
- 5- assist in awareness of school attendance,
- 6- provide the Board and staff with advice and recommendations regarding the district's special education programs and resource allocation,
- 7- to respond to the needs and concerns of students with exceptional needs and their families,

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8- and to educate the community about disabilities and special education

7. Describe the SELPA's process for regular consultations regarding the plan development with representative of special education and regular education teachers, and administrators selected by the groups they represent and parent members of the CAC:

LOCAL PLAN DEVELOPMENT

To ensure adequate and effective participation and communication, the Local Plan shall be developed and updated cooperatively by a committee selected by and representing the following groups: special education and general education teachers selected by their peers, school site and district administrators selected by the Chief/SELPA Director and parent members of the Community Advisory Committee or their parent designees and charter school staff as selected by the Chief/SELPA Director.

AMENDMENTS TO THE PERMANENT SECTIONS OF THE LOCAL PLAN

Changes or amendments to the permanent portion of the Local Plan may be considered during the Annual Service and Budget Plan process. Amendments approved in this manner shall become permanent upon subsequent approval by the MDUSD Board of Education and the State Board of Education. The Local Plan shall be reviewed whenever new legislation, regulations and/or guidelines or major changes in funding or services indicate the need for possible modification of the Local Plan.

Each SELPA submitting a local plan must assure that it has in effect policies, procedures, and programs that are consistent with federal and state law governing the provision of special education and related services. (Education Code 56040, 56041, 56205) This includes provision of appropriate staff development programs. (Education Code 56240)

Amendments to the Local Plan may be proposed by the SELPA and shall be approved and become permanent upon subsequent approval by the Local governing board, upon review by the Contra Costa County Office of Education (Education Code 56195.3) and subsequent approval of the State Superintendent. (Education Code 56205)

Appendices to the Local Plan are not part of the permanent portion of the Local Plan, and each Appendix may be amended according to its own provision(s) for amendment.

8. Identify and describe the responsible local agency (RLA), Administrative Unit (AU), or other agency who is responsible for performing tasks such as the receipt and distribution of funds, provision of administrative support, and coordination and implementation of the plan:

IMPLEMENTATION OF ADMINISTRATIVE FUNCTIONS

MDUSD is designated as the Administrative Unit (AU) for the Mt. Diablo Unified SELPA. It shall be responsible for functions such as, but not limited to:

1. Receipt and distribution of special education funds to district accounts for the operation of

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- special education programs and services.
- 2. Receipt and distribution of special education funds to accounts exclusively designated for SELPA use.
- 3. The employment of staff to support SELPA functions.

The governing board of Mt. Diablo Unified School District agrees that students with disabilities will be provided with appropriate special education services. The Mt. Diablo Unified SELPA shall be responsible for the distribution of the funds according to an approved Special Education Budget Plan. The Annual Budget Plan shall be reviewed by the CAC and approved by the Mt. Diablo Unified School District Board.

The MDUSD Special Education Department, under the direction of the Chief/SELPA Director, is designated as the entity responsible for the administration of the Local Plan and assuring that the SELPA is in compliance with all applicable laws and regulations through annual monitoring of the use of funds allocated for special education programs. Final determination and action regarding appropriate use of special education funds shall be made through the Annual Budget Plan process, including a public hearing. The Chief/SELPA Director shall be responsible for the preparation of program and fiscal reports and amendments to the Annual Budget Plan and Service Plan.

Funds allocated for special education programs shall be used for services to students with disabilities. Federal funds under part B of IDEA may be used for the costs of special education and related services and supplementary aids and services provided in a general education class or other education-related setting to a child with a disability in accordance with the IEP for the child, even if one or more non disabled children benefit from these services.

The Mt. Diablo Unified School District Board of Education agree to review and approve the SELPA-wide annual service and budget plan and any modifications.

9. Describe the contractual agreements and the SELPA's system for determining the responsibility of participating agency for the education of each student with special needs residing within the geographical area served by the plan:

RESPONSIBILITY OF PARTICIPATING AGENCY

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

OVERSIGHT OF NON-PUBLIC AND NON-SECTARIAN SCHOOLS

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Mt. Diablo Unified SELPA has developed a Master Contract and Service Agreement for students placed in certified non-public, non-sectarian schools. When MDUSD contracts with a non-public, non-sectarian school, MDUSD shall evaluate the placement of its student(s) in such schools on at least an annual basis as part of the annual IEP review. The Mt. Diablo Unified SELPA representative shall review the master contract, the individual service plan agreement and the IEP to ensure that all services agreed upon and specified in the IEP are provided.

Non-public and non-sectarian schools are required by the master contract and the IEP to annually evaluate the students to determine if they are making appropriate educational process. The master contract is modeled on the State SELPA master contract and Service Agreement which allows the SELPA to monitor the placement and services of students in certified nonpublic, nonsectarian schools. Each master contract is approved by the MDUSD board of education.

The Mt. Diablo Unified SELPA representative shall collaboratively review the non-public, non-sectarian school the evaluations conducted by those schools to ensure that they are appropriate and valid for measuring student progress. MDUSD may choose to administer additional assessments as necessary, with parent consent, to determine whether the student is making appropriate educational progress. Each student placed in a nonpublic, nonsectarian school shall have an IEP at least annually in which the student's progress towards annual goals is assessed. The annual data provided by the nonpublic, nonsectarian school shall be authentic, curriculum based measurements, in accordance with state-adopted grade level standards.

Non-public schools are reviewed in accordance with AB1172 beginning July 1, 2020.

The IEP team will determine standards for meeting requirements for special education students placed in non-public schools who are unable to attain Mt. Diablo Unified SELPA graduation requirements.

Interagency agreements necessary to support the implementation of the local plan, and as required by legal mandates, have been developed with the following agencies:

- California Children's Service
- Head Start
- Regional Center

Other interagency agreements will be developed as needed. Copies of these documents can be requested through the Mt. Diablo Unified SELPA office.

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10. For multi-LEA local plans, specify:

a. The responsibilities of each participating COE and LEA governing board in the policymaking process:

b. The responsibilities of the superintendents of each participating LEA and COE in the implementation of the local plan:

c. The responsibilities of each LEA and COE for coordinating the administration of the local plan:

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

a. The hiring, supervision, evaluation, and discipline of the SELPA administrator and staff employed by the AU in support of the local plan:

The MDUSD governing board agrees to invest the MDUSD Special Education Administrative Unit (AU) under the direction of the Chief/SELPA Director, with the administration of the Local Plan and its implementation. The board assures that the AU shall identify the need for and designate necessary positions for the operation of the SELPA functions according to this policy. The Superintendent reviews and recommends to the governing board the Annual Budget Plan, Service Delivery Plan and staffing formulas for special education programs. The Chief/SELPA Director provides staffing recommendations to the Superintendent according to the AU's policies and rules.

The Chief/SELPA Director, in conjunction with the MDUSD Personnel Department shall use an employee selection process that includes representation from district administration, certificated and classified bargaining units, special education AU and the Community Advisory Committee. The final interview shall include the Chief/SELPA Director. The candidate selected in the final interview shall be recommended to the governing board for consideration and approval. In addition, the Superintendent may make appropriate recommendations for appointments when the candidate meets the required criteria.

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The Chief/SELPA Director is responsible for the overall coordination and ongoing review of special education services and programs within MDUSD and for the administration of the Local Plan. The Chief/SELPA Director is subject to the Administrative Unit's (AU) policies and procedures for day-to-day operations with the authority to implement policies and procedures. The duties of this position include, but are not limited to, the following:

- Directs, supervises, counsels and assists special education personnel in the operation of their special education programs and services.
- Supervises, evaluates and monitors the performance of certificated and classified personnel directly responsible to him/her, including program administrators, program specialists and psychologists.
- Supervises, evaluates and monitors the performance of certificated and classified personnel directly responsible to him/her, including OT/PT Supervisor, Full Inclusion Facilitators and MIS support staff.
- Develops and implements in-service programs related to special education for district staff, parents and community.
- Coordinates and supervises the activities of the special education management information system and services.
- Works cooperatively with the Directors or Certificated and Classified Personnel in recruitment, interviewing, selection, assignment, transfer and separation of special education personnel.
- Provides staff development opportunities that foster collaboration and best educational practice for general education and special education teachers.

b. The local method used to distribute federal and state funds to the SELPA RLA/AU and to LEAs within the SELPA:

The Annual Budget Plan will be reviewed by the Mt. Diablo Unified SELPA Community Advisory Committee and approved by the governing board.

The Chief/SELPA Director is responsible for the overall coordination and ongoing review of special education services and programs within Mt. Diablo Unified SELPA and for the administration of the Local Plan. The Chief/SELPA Director is subject to the Administrative Unit's (AU) policies and procedures for day-to-day operations with the authority to implement policies and procedures. The duties of this position include, but are not limited to preparing and administering the budgets for the implementation of all special education program and services.

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c. The operation of special education programs:

The Superintendent's Cabinet will ensure the operation of a special education program in accordance with the Local Plan, federal and state guidelines.

The Chief/SELPA Director will assign individual(s) to collect, compile, report and certify for accuracy data included in the annual evaluation report submitted to the California Department of Education. Published reports of this data shall be available for review by interested community members. Data gathering, compilation, reporting, processing and certification of accuracy will be completed by the designated responsible individual(s) assigned by the Chief/SELPA Director. Data will be included in the Annual Evaluation submitted to the California Department of Education.

The Chief/SELPA Director is responsible for the overall coordination and ongoing review of special education services and programs within MDUSD and for the administration of the Local Plan. The Chief/SELPA Director is subject to the Administrative Unit's (AU) policies and procedures for day-to-day operations with the authority to implement policies and procedures. The duties of this position include, but are not limited to, the following:

- Develops and recommends to the Superintendent and the governing board policies and procedures relating to special education.
- Implements and revises policies of the Board of Education and procedures in compliance with state and federal law relating to special education programs.
- Implements current federal and state laws as they pertain to special education including development and implementation procedures for the identification, referral, assessment, IEP development and placement of individuals with disabilities as established by the Local Plan.
- Provides for periodic program monitoring to assure compliance with state and federal laws and regulations.
- Coordinates the development of all special education program budgets and staffing formulas.
- Assumes responsibility for the organization, administration and supervision of the special education programs and services.
- Directs, supervises, counsels and assists special education personnel in the operation of their special education programs and services.
- Develops, in cooperation with other administrators, procedures to be used in the evaluation of special education programs and services.
- Assists in the organization, administration and supervision of the special education programs and services.
- Acts as a liaison between district programs and the appropriate local, county, state

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and national agencies.

- d. Monitoring the appropriate use of federal, state, and local funds allocated for special education programs:

Final determination and action regarding the appropriate use of special education funds shall be made through the Annual Budget Plan and Annual Service Plan process. The Plans are reviewed annually by the fiscal department, special education department, CAC and the superintendent's cabinet prior to Board approval.

The Chief/SELPA Director shall be responsible to monitor on an annual basis the appropriate use of all funds allocated for special education programs.

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

Education Code Section 56839.22 provides for funds to purchase "specialized" books, materials and equipment as required under the student's individualized education program (IEP) for students with low incidence disabilities as defined in Section 56026.5 (hard of hearing, deaf, deaf-blind, visual impairment, or severe orthopedic impairments, or any combination thereof). As a condition of receiving these funds, the SELPA shall ensure that:

- the appropriate books, materials and equipment are purchased
- the use of items is coordinated as necessary
- the books, materials and equipment are reassigned within the SELPA once the student that originally received the items no longer needs them.

Low incidence funds provided by the State allow for the purchase of specialized books, materials, and equipment, which are necessary due to the adverse educational impact of a low incidence disability on access to instruction and learning in the least restrictive environment (LRE). Low incidence funding is intended to supplement and not supplant other available funding for books and materials.

"Low incidence disability" means a severe disabling condition with an expected incidence rate of less than one (1) percent of the total statewide enrollment in kindergarten through grade twelve (12). For purposes of this definition, severe disabling conditions are hearing impairments, vision impairments, and severe orthopedic impairments, or any combination thereof. The SELPA is responsible for ensuring that each student who has been identified as a student with a "low incidence" disability, receives the required instructional support as indicated on the IEP.

The Chief/SELPA Director is responsible for ensuring that all eligibility requirements are met

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prior to approving any expenditure of these funds. Low Incidence funding is legally the responsibility of the SELPA, including accountability of how the funds are used and reassignment of specialized books, materials and equipment within the SELPA and sharing with other SELPAs. To meet this responsibility, a Low Incidence Committee has been established which is comprised of educators knowledgeable about low incidence disabilities. The Monitoring the appropriate use of federal, state, and local funds allocated for special education programs Low Incidence Committee has established procedures and guidelines for purchases through the Low Incidence fund. The Low Incidence Committee may include:

- Assistant Director, Special Education
- Program Specialist
- Specialist for visually impaired
- Specialist for the orthopedically impaired
- Specialist for the Hard of Hearing or Deaf
- Speech/Language Pathologist
- Audiologist
- Teacher or Specialist knowledgeable in assistive technology

The committee meets monthly to review the requests for Low Incidence funding.

1. Determine Eligibility: The IEP determines eligibility for low incidence disability. The Low Incidence eligibility must be documented on the IEP as a primary or secondary disability.
2. Determine Student Needs: The IEP team determines the student's educational needs for item(s) through education assessment and documentation.
 - a. Educational Assessment: The personnel who assess the student shall prepare a written report, or reports as appropriate, of the results of each assessment. The report shall include, but not be limited to, the needs for specialized services, materials, and equipment for students with low incidence disabilities.
 - b. IEP Documentation: The requirements must be written into the IEP but not limited to the following:
 - i. How the item will assist the student's instruction in accordance with the IEP.
 - ii. How often the item will be used or is needed.
 - iii. How the item facilitates participation in the classroom.
 - iv. Specific projected student outcomes.
 - v. Justification statement that is related to the student's unique educational needs as identified in the assessment information
 - vi. Assessment, goals and objectives that are correlated to the justification statement of need.
 - vii. Present level that reflect assessment information and need for support.
 - viii. Identification of personnel who will provide support to student and will monitor and inventory adapted equipment and FM System.

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Low Incidence Follow Up Procedures:

- 1- For each Annual IEP thereafter, the IEP goals and benchmarks must reflect the progress the student has made utilizing the equipment.
- 2- Low incidence equipment is specifically for use by the student with a low incidence disability.
- 3- While other students may use the equipment if appropriate, the main user is the identified student.
- 4- Low incidence equipment follows the student. If a student changes school sites, the equipment must move to the new school site also. The equipment must be made available during the school year and during extended school year if appropriate.
- 5- Equipment that is no longer needed must be identified to the Low Incidence Administrator for redistribution.

Students with disabilities shall receive a free appropriate public education (FAPE) in the least restrictive environment which meets their unique needs to the extent provided by law.

The SELPA ensures conformity with Sections 1412(a) and 1413(a)(1) of Title 20 *United States Code (20 USC)*, and in accordance with Title 34 *Code of Federal Regulations (34 CFR)* Section 300.201, that its policies, procedures, and programs are consistent with state laws, regulations, and policies governing each of the requirements established in *EC 56205(a)(1) -(22)*.

Policies, Procedures, and Programs

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

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

Policy/Procedure Number:

Document Title:

Document Location:

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

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Yes No

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

The Governing Board desires to provide a free appropriate public education for all individuals with disabilities, aged 3 to 21 years, who reside in the district, including children who have been suspended or expelled or placed by the district in a nonpublic, nonsectarian school.

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

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

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

Students with disabilities shall receive a free appropriate public education (FAPE) in the least restrictive environment which meets their unique needs to the extent provided by law.

The Superintendent or designee shall develop administrative regulations regarding the identification, assessment, and placement of students with disabilities, as well appointment of the individualized education program (IEP) team, the content of the IEP, and provisions of a free, appropriate public education.

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

Policy/Procedure Number:

Document Title:

Document Location:

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

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education and related services." The policy is adopted by the SELPA as stated:

Yes No

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

The Governing Board recognizes the need to actively seek out and evaluate residents from birth to age 21 who have disabilities in order to provide them with appropriate educational opportunities in accordance with state and federal law.

The Superintendent or designee shall establish a comprehensive system that includes procedures for the identification, screening, referral, and regular and triennial assessment of individuals eligible for special education, as well as procedures for the planning, implementation, and review of the education and related services provided to such individuals.

The district's identification procedures shall include methods for utilizing referrals from parents/guardians, teachers, appropriate professionals, and others, and shall be coordinated with school site procedures for referral of students whose needs cannot be met with modifications to the regular instructional program. (Education Code 56302)

The Superintendent of designee shall develop a method to ensure that all children residing within the district, including children with disabilities who are homeless, wards of the State or attending private schools including religious, elementary and secondary schools, regardless of the severity of their disabilities are identified, located and assessed. The child find process shall ensure the equal participation in special education and related services for parentally placed private school children with disabilities.

AR 6159.21 Service To Parentally Placed Private School Students
 The district will undertake child find activities for private school students in accordance with Board Policy 6164.4. Child find activities related to private school students shall include providing annual written notice to private schools to inform them of the process for referring students for Student Study Teams (SST) and/or assessment. This notice will also provide information, including but not limited to, the special education services available to eligible private school students.

The district will ensure that child find activities undertaken for private school students are comparable to activities undertaken for students with disabilities, age 3-22, in the public schools.

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

Policy/Procedure Number:

Document Title:

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Document Location:

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

Yes No

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

Board Policy 6159.6 Special Education Infant Services/California Early Start

The Superintendent or designee will ensure that eligible infants and toddlers have an annual Infant Family Service Plan (IFSP) that addresses the infant or toddler's needs and the needs of the family as they relate to the infant's developmental/educational needs. Each IFSP will be developed by the parents of each infant/toddler and a district infant service coordinator, as well as others providing services to the infant/toddler. The contents of the initial and all annual and other IFSPs will be fully explained and discussed with the parent/guardian(s) and the parent/guardian(s) shall receive a legible copy of the IFSP.

Board Policy 6159- Individualized Education Program

Students with disabilities shall receive a free appropriate public education (FAPE) in the least restrictive environment which meets their unique needs to the extent provided by law. The Superintendent or designee shall develop administrative regulations regarding the identification, assessment, and placement of students with disabilities, as well appointment of the individualized education program (IEP) team, the content of the IEP, and provisions of a free, appropriate public education.

Board Policy 6164.4 Identification And Evaluation Of Individuals For Special Education

The Superintendent or designee shall establish a comprehensive system that includes procedures for the identification, screening, referral, and regular and triennial assessment of individuals eligible for special education, as well as procedures for the planning, implementation, and review of the education and related services provided to such individuals.

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

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

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

Board Policy 0430
The Governing Board desires to provide a free appropriate public education for all individuals with disabilities, aged 3 to 21 years, who reside in the district, including children who have been suspended or expelled or placed by the district in a nonpublic, nonsectarian school.

The district shall provide special education instruction and services for individuals with disabilities in accordance with the federal Individuals with Disabilities Education Act. Students shall be referred for special education instruction and services only after the resources of the regular education program have been considered, and where appropriate, utilized (Education Code 56303) (20 USC 1400)

Board Policy 6159
Students with disabilities shall receive a free appropriate public education (FAPE) in the least restrictive environment which meets their unique needs to the extent provided by law.

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

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

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

In order to protect the rights of students with disabilities and their parents/guardians, the district

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shall follow all procedural safeguards as set forth in law.
Parents/guardians shall receive written notice of their rights, including the right to a due process hearing for any dispute related to the identification, assessment or educational placement of a child or the provision of a free, appropriate public education to the child.

7. Evaluation: 20 USC Section 1412(a)(7)

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

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

A reevaluation shall be conducted when the district determines that the educational or related service needs of the student, including improved academic achievement and functional performance, warrant a reevaluation or if the student's parent/guardian or teacher requests reevaluation. Such reevaluations shall occur every three years, unless the parent/guardian and district agree in writing that a reevaluation is unnecessary. A reevaluation may not occur more than once a year, unless the parent/guardian and the district agree otherwise. (Education Code 56043, 56381; 34 CFR 300.303).

8. Confidentiality: 20 USC Section 1412(a)(8)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that the confidentiality of personally identifiable data, information, and records maintained by the LEA relating to children with disabilities and their parents and families shall be protected pursuant to the Family Educational Rights and Privacy Act, non-academic programs, and services available to non-disabled children." The policy is adopted by the SELPA as stated:

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Yes No

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

Board Policy 5022 Student And Family Privacy Rights
The Governing Board believes that personal information concerning district students and their families should be kept private in accordance with law

Board Policy 5125 Student Records
The Governing Board recognizes the importance of keeping accurate, comprehensive student records as required by law. Procedures for maintaining the confidentiality of student records shall be consistent with state and federal law.

The Superintendent or designee shall establish regulations governing the identification, description and security of student records, as well as timely access for authorized persons. These regulations shall ensure parental rights to review, inspect and copy student records and shall protect the student and the student's family from invasion of privacy.

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

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

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

The Superintendent or designee will ensure that eligible infants and toddlers have an annual Infant Family Service Plan (IFSP) that addresses the infant or toddler's needs and the needs of the family as they relate to the infant's developmental/educational needs. Each IFSP will be developed by the parents of each infant/toddler and a district infant service coordinator, as well as others providing services to the infant/toddler. The contents of the initial and all annual and other IFSPs will be fully explained and discussed with the parent/guardian(s) and the parent/guardian(s) shall receive a legible copy of the IFSP.

Administrative Regulation 6159

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Upon request of the parent/guardian of a child who was previously served under Early Education for Individuals with Exceptional Needs (Education Code 56425-56432) or the California Early Intervention Services Act (Government Code 95000-95004), the district shall invite the Infant and Toddlers with Disabilities Coordinator or other representative of the early education or early intervention system to the initial IEP team meeting to assist with the smooth transition of services. (Education Code 56341; 20 USC 1414(d)(1)(D); 34 CFR 300.321)

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

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

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

Pursuant to federal and state law and regulations, the district shall annually spend a proportionate share of federal funds, based on the December 1 student count, for the provision of special education and related services to private school children with disabilities, ages 3-22, who are eligible for special education services.

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

Policy/Procedure Number:

Document Title:

Document Location:

"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,

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Section 504 of Public Law; and the provisions of the California *EC*, Part 30." The policy is adopted by the SELPA as stated:

Yes No

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

Board Policy 430- Local Plan for Special Education
The district develops the local plan with input from the Community Advisory Committee. (Education Code 56001(f)) The district shall cooperate and collaborate with the county office in developing the plan and shall submit the plan to the county office for review once complete. (Education Code 56195.3) The final plan shall be submitted to the Superintendent of Public Instruction. (Education Code 56205)

Each SELPA submitting a local plan must assure that it has in effect policies, procedures, and programs that are consistent with federal and state law governing the provision of special education and related services. (Education Code 56040, 56041, 56205) This includes provision of appropriate staff development programs. (Education Code 56240)

The district shall also adopt policies for the programs it operates under the local plan, including: nonpublic services, review of placement of students with disabilities and their IEPs, when necessary, procedural safeguards, resource specialists, transportation, information on the number of individuals with exceptional needs who are being provided special education and related services, and caseloads. (Education Code 56195.8) This information may be included as part of the local plan. The district must cooperatively develop and continue to update the plan with the following requirements. (Education Code 56195.9)

12. Interagency: 20 USC Section 1412(a)(12)

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

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

Board Policy 6159.2 Private School Placements By Public Agencies
The Governing Board may contract with state-certified nonpublic, nonsectarian schools or agencies to provide special education services or facilities when an appropriate public education program is not available.
When entering into agreements with nonpublic, nonsectarian schools or agencies, the Board shall consider the needs of the individual student and the recommendations of the individualized education program (IEP) team. The IEP team shall remain accountable for monitoring the progress of students placed in nonpublic, nonsectarian programs towards the goals identified in each student's IEP.

AR 6159.2 Nonpublic, Nonsectarian School And Agency Services For Special Education Placement and Services
Procedures specified in law shall govern the selection of appropriate nonpublic school or agency services.

Contracts with a nonpublic school or agency shall be made on forms provided by the California Department of Education and shall include an individual services agreement negotiated for each student. Individual services agreements shall be for the length of time for which nonpublic, nonsectarian school services are specified in the student's individualized education program (IEP), not to exceed one year. Changes in educational instruction, services or placement shall be made only on the basis of revisions to the student's IEP.

The master contract shall specify the general administrative and financial agreements between the nonpublic, nonsectarian school or agency and the district to provide the special education and designated instruction and services, as well as transportation specified in the student's IEP. The administrative provisions of the contract shall also include procedures for record-keeping and documentation, and the maintenance of school records by the contracting district to ensure that appropriate high school graduation credit is received by the student. The contract may allow for partial or full-time attendance at the nonpublic, nonsectarian school. (Education Code 56366)

13. Governance: 20 USC Section 1412(a)(13)

Policy/Procedure Number:

Document Title:

Document Location:

"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

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LEA is not eligible for assistance under this part will not be made without first affording that LEA with reasonable notice and an opportunity for a hearing through the State Education Agency." The policy is adopted by the SELPA as stated:

Yes No

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

Board Policy 430(a)- Local Plan for Special Education
The Governing Board desires to provide a free appropriate public education for all individuals with disabilities, aged 3 to 21 years, who reside in the district, including children who have been suspended or expelled or placed by the district in a nonpublic, nonsectarian school.

The district shall provide special education instruction and services for individuals with disabilities in accordance with the federal Individuals with Disabilities Education Act. Students shall be referred for special education instruction and services only after the resources of the regular education program have been considered, and where appropriate, utilized (Education Code 56303) (20 USC 1400)

Single-district Special Education Local Plan Area (SELPA)
Special education programs are to be provided under an approved local plan that sets forth the elements of those programs in accordance with the requirements of Chapter 3 of the Education Code (commencing with section 56205, Education Code 56027). As a single-district SELPA, the board shall approve the district's local plan to meet the needs of individuals with disabilities residing in the district. (Education Code 56195, 56195.1(a))

Duties of District
The district develops the local plan with input from the Community Advisory Committee. (Education Code 56001(f)) The district shall cooperate and collaborate with the county office in developing the plan and shall submit the plan to the county office for review once complete. (Education Code 56195.3) The final plan shall be submitted to the Superintendent of Public Instruction. (Education Code 56205)

Each SELPA submitting a local plan must assure that it has in effect policies, procedures, and programs that are consistent with federal and state law governing the provision of special education and related services. (Education Code 56040, 56041, 56205) This includes provision of appropriate staff development programs. (Education Code 56240)

The district shall also adopt policies for the programs it operates under the local plan, including: nonpublic services, review of placement of students with disabilities and their IEPs, when necessary, procedural safeguards, resource specialists, transportation, information on the number of individuals with exceptional needs who are being provided special education and related services, and caseloads. (Education Code 56195.8) This information may be included as part of the local plan. The district must cooperatively develop and continue to

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14. Personnel Qualifications

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

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

Board Policy 4112.23 Special Education Staff
The Governing Board shall employ certificated resource specialists to provide services, where required by law, for students who have exceptional needs, their parents/guardians, and school staff. The resource specialist program shall be directed by a resource specialist fully qualified in accordance with law.

Board Policy 4100 Certificated Personnel
The Governing Board recognizes that teachers and other certificated personnel work closely with students in carrying out the district's educational goals. The Superintendent or designee shall ensure that the duties, responsibilities, and district's expectations for certificated positions are clearly defined and made known to each member of the certificated staff.

Each certificated staff member shall be held accountable for duties assigned to him/her and shall undergo regular performance evaluations in accordance with law and negotiated agreements.

15. Performance Goals and Indicators: 20 USC Section 1412(a)(15)

Policy/Procedure Number:

Document Title:

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Document Location:

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

Yes No

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

Board Policy 500 Accountability
The Governing Board has a responsibility to continually reexamine district programs and practices to determine their effectiveness in serving all students. Review and evaluation procedures shall provide a mechanism for ensuring accountability to parents/guardians and the community.

To enable the Board to fulfill these responsibilities, the Superintendent or designee shall identify and/or develop appropriate measures to ensure accountability. These measures shall be integrated and consistent with the state's accountability system and may include, but not be limited to, measures to evaluate student achievement, parent/guardian involvement and other district goals.

16. Participation in Assessments: 20 USC Section 1412(a)(16)

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

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

Special needs students shall be included in general statewide and district-wide assessment programs with appropriate accommodations and alternate assessments where necessary as indicated in their IEP or Section 504 accommodation plan. (Education Code 56385)

The district is committed to providing every possible opportunity for special needs students to

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participate in its district-wide testing program. All available provisions for current special accommodations/modifications provided by the publisher or the state will be made available to our students, consistent with their Individual Education Plan (IEP) or Section 504 Plan. In the event that a student is unable to participate in a statewide assessment event with accommodations, an alternate assessment will be provided.

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

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

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

Board Policy 3230 Income
Each year when it is believed that the district is eligible for Federal or State grant assistance under the provisions of public laws, application for said assistance may be submitted, so long as acceptance of the funds does not include conditions contrary to Governing Board policy.

Acceptance of such funds shall be contingent upon approval by the Board. Upon approval, the Board will execute assurances of compliance, and any other legally required documents, as conditions of the receipt of the Federal or State funds.

Authorization of Fiscal Agents
The Superintendent or designee shall be authorized to act as fiscal agents of the district in all transactions with the Federal Government relating to any Federal titles or acts which provide funds for the educational program for schools.

18. Maintenance of Effort: 20 USC Section 1412(a)(18)

Policy/Procedure Number:

Document Title:

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Document Location:

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

Yes No

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

The district shall provide comparable educational opportunities for all students. Instruction in the core curriculum shall in no way be diminished when students receive supplementary services funded by special governmental programs. Services funded by any categorical program shall supplement the district-provided core curriculum and also supplement any services which may be provided by other categorical programs.

19. Public Participation: 20 USC Section 1412(a)(19)

Policy/Procedure Number:

Policy/Procedure Title:

Document Location:

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

Yes No

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

The Governing Board looks upon school-community associations such as the PTA, parent clubs, citizen advisory committees and other support groups as integral parts of the school community which can aid substantially in promoting a finer educational program.

The Board encourages active support of and cooperation with school-community associations by teachers and other employees.

Residents of the community shall be encouraged to take an active part in school affairs and may be invited to provide advice individually and in groups as follows:

1. In clarifying the general ideas and attitudes held by our residents regarding schools
2. In developing broad policies under which the school system is to be managed

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- 3. In determining educational goals, the purposes of courses of study and special instructional programs and services to be provided for students
- 4. In evaluating the extent to which these purposes are being achieved by present practices
- 5. In giving active assistance to the certificated staff in the actual operation of classes and services where the staff deems such aid valuable
- 6. In solving a specific problem or set of closely related problems about which the Board must make a decision
- 7. In the operation of school-related agencies

The Board and the staff shall give substantial weight to the advice which they receive from individuals and community groups interested in the schools, especially those individuals and groups which they have invited or created to advise them regarding selected problems, but the Board and staff shall retain responsibility for making decisions.

20. Suspension and Expulsion: 20 USC Section 1412(a)(22)

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

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

A student identified as an individual with disabilities pursuant to the Individuals with Disabilities Education Act (IDEA) is subject to the same grounds for suspension and expulsion which apply to students without disabilities.

Suspension

The Superintendent or designee may suspend a student with a disability for up to five consecutive school days for a single incident of misconduct, and for up to 20 school days in a school year. If the student is transferred to another school or alternative educational program, the student may be suspended for up to 30 school days in a school year, but still no more than five days for a single incident of misconduct, unless the student is suspended by the Governing Board pursuant to Education Code 48912. (Education Code 48903, 48911)

The principal or designee shall monitor the number of days, including portions of days,

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students with a valid individualized education program (IEP) have been suspended during the school year.

If the student poses an immediate threat to the safety of himself/herself or others, the Superintendent or designee may suspend the student for up to, but not more than, 10 consecutive school days if the student's parent/guardian agrees or a court order so provides. (Education Code 48911)

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

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

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

Development, Review, and Revision of the IEP
In developing the IEP, the IEP team shall consider all of the following: (Education Code 56341.1, 56345; 20 USC 1414(d)(3)(A); 34 CFR 300.324)
7. In the case of a student who is blind or visually impaired, the need to provide for instruction in Braille and instruction in the use of Braille

However, such instruction need not be included in the IEP if the IEP team determines that instruction in Braille or the use of Braille is not appropriate for the student. This determination shall be based upon an assessment of the student's reading and writing skills, his/her future needs for instruction in Braille or the use of Braille, and other appropriate reading and writing media.

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

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

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

The Superintendent or designee shall establish a comprehensive system that includes procedures for the identification, screening, referral, and regular and triennial assessment of individuals eligible for special education, as well as procedures for the planning, implementation, and review of the education and related services provided to such individuals.

The district's identification procedures shall include methods for utilizing referrals from parents/guardians, teachers, appropriate professionals, and others, and shall be coordinated with school site procedures for referral of students whose needs cannot be met with modifications to the regular instructional program. (Education Code 56302)

AR 6164.4 Identification And Evaluation Of Individuals For Special Education 56320. Before any action is taken with respect to the initial placement of an individual with exceptional needs in special education instruction, an individual assessment of the student's educational needs shall be conducted, by qualified persons, in accordance with requirements including, but not limited to, all the following:

1. Testing and assessment materials and procedures used for the purposes of assessment and placement of individuals with exceptional needs are selected and administered so as not to be racially, culturally, or sexually discriminatory. The materials and procedures shall be provided in the student's native language or mode of communication, unless it is clearly not feasible to do so.

23. Prohibition on Mandatory Medicine: 20 USC Section 1412(a)(25)

Policy/Procedure Number:

Document Title:

Document Location:

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

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Yes No

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

BP 5141.21 Administering Medication And Monitoring Health Conditions

The Governing Board believes that regular school attendance is critical to student learning and that students who need to take medication prescribed or ordered for them by their authorized health care providers should have an opportunity to participate in the educational program.

Authorization To Administer Medication During School Hours

Any pupil who is required to take, during the regular school day, medication prescribed for him/her by a physician, may be assisted by the school nurse or other designated school personnel if the school district (county) receives: (1) a written statement from such physician detailing the method, amount, and time schedules by which such medication is to be taken, and (2) a written statement from the parent or guardian of the pupil indicating the desire that the school district assist the pupil in the matters set forth in the physician's statement (California Education Code 49423).

Administration of Regionalized Operations and Services

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

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

Reference Number:	Board Policy 0430 and SELPA Assurances
Document Title:	Regionalized Services and Operations
Document Location:	https://mdusd-ca.schoolloop.com/superintendent/board_policies https://www.mdusd.org/departments/special_ed
	Board Policy 0430 The Governing Board desires to provide a free appropriate public education for all individuals with disabilities, aged 3 to 21 years, who reside in the district, including children who have been suspended or expelled or placed by the district in a nonpublic, nonsectarian school.

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The district shall provide special education instruction and services for individuals with disabilities in accordance with the federal Individuals with Disabilities Education Act. Students shall be referred for special education instruction and services only after the resources of the regular education program have been considered, and where appropriate, utilized (Education Code 56303)

Accommodations, modifications and/or special services and aids shall also be provided as needed for students who are eligible for services under Section 504 of the federal Rehabilitation Act of 1973, the Americans with Disabilities Act and related federal regulations.

Special education programs are to be provided under an approved local plan that sets forth the elements of those programs in accordance with the requirements of Chapter 3 of the Education Code. As a single-district SELPA, the board shall approve the district's local plan to meet the needs of individuals with disabilities residing in the district.

Duties of District

The district develops the local plan with input from the Community Advisory Committee. The district shall cooperate and collaborate with the county office in developing the plan and shall submit the plan to the county office for review once complete. The final plan shall be submitted to the Superintendent of Public Instruction.

Each SELPA submitting a local plan must assure that it has in effect policies, procedures, and programs that are consistent with federal and state law governing the provision of special education and related services. This includes provision of appropriate staff development programs.

The district shall also adopt policies for the programs it operates under the local plan, including: nonpublic services, review of placement of students with disabilities and their IEPs, when necessary, procedural safeguards, resource specialists, transportation, information on the number of individuals with exceptional needs who are being provided special education and related services, and caseloads. This information may be included as part of the local plan. The district must cooperatively develop and continue to update the plan with the following requirements.

The local plan shall establish a Community Advisory Committee, which will act in an advisory capacity to the Board. The committee is to be formed with members appointed by, and responsible to, the Board. The

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local plan shall describe procedures by which the Board shall establish a SELPA Community Advisory Committee and its membership. The committee must be composed of parents of individuals with exceptional needs and other students, students and adults with disabilities, regular and special education teachers, administrators, and representatives from other public and private agencies. Both the teachers and parents who are involved in development of the local plan are to be selected by their peers.

The local plan vests the Committee with authority to fulfill the responsibilities defined for it in the local plan. This committee shall advise the Board in the development, amendment and review of the local plan, recommend annual priorities to be addressed by the plan, promote parent/guardian and community involvement, assist in parent/guardian education and support activities on behalf of individuals with exceptional needs.

The local plan shall also contain: an annual budget plan, an annual service plan, including the nature and location of services to be provided so as to provide access to all individuals with disabilities, a description of programs for early childhood special education (ages birth through five years old), a description of a method through which the questions and concerns of parents of children receiving services under the plan will be addressed and answered, a description of a dispute resolution process, including mediation and binding arbitration, to resolve disputes over local plan administration, verification that the Community Advisory Committee was given at least thirty days to review the local plan prior to submission to the Superintendent, a description of the general education process to be used prior to referral for special education, and a description of the process used to supervise and evaluate placements and provision of services at nonpublic schools. The plan shall also include a description of how specialized equipment and services will be distributed so as to maximize opportunities to serve students with exceptional needs in the least restrictive environments.

SELPA Assurances

The Chief/SELPA Director shall serve on behalf of the LEA and implement the Local Plan including the following regionalized services and operations:

1. Coordination of the SELPA and the administration of the Local Plan.

The Superintendent has executive responsibility for implementing the Local Plan. Additional duties include, but are not limited to:

1. Implements and monitors all special education policies

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established by the governing board.

2. Reviews and recommends the annual budget and staffing formulas for special education programs and recommends them to the governing board.
3. Ensures the district's compliance with federal and state laws and regulations as they pertain to individuals with exceptional needs.

The Chief/SELPA Director is responsible for the overall coordination and ongoing review of special education services and programs within Mt. Diablo Unified SELPA and for the administration of the Local Plan. The Chief/SELPA Director is subject to the Administrative Unit's (AU) policies and procedures for day-to-day operations with the authority to implement policies and procedures. The duties of this position include, but are not limited to, the following:

1. Sits as a member of the Superintendent's Council and Cabinet and Educational Services Cabinet.
2. Develops and recommends to the Superintendent and the governing board policies and procedures relating to special education.
3. Implements and revises policies of the Board of Education and procedures in compliance with state and federal law relating to special education programs.
4. Implements current federal and state laws as they pertain to special education including development and implementation procedures for the identification, referral, assessment, IEP development and placement of individuals with disabilities as established by the Local Plan.
5. Assists in compiling and submitting accurate reports as required by district, state and federal jurisdictions.
6. Provides for periodic program monitoring to assure compliance with state and federal laws and regulations.
7. Provides information and recommendations for the development, modification and implementation of the Local Plan.
8. Coordinates the development of all special education program budgets and staffing formulas.
9. Prepares and administers the budgets for the implementation of all special education program and services.
10. Provides access to regionalized services.
11. Acts as liaison between district programs and the appropriate local, county, state and national agencies.
12. Serves as a liaison between the governing board and the Community Advisory Committee for Special Education and provides recommendations for its membership.
13. Develops the Annual Services Plan for approval by MDUSD

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Description:

- Superintendent and governing board.
14. Works cooperatively with appropriate individuals and groups in integrating activities of the special education department with the various district-wide education programs.
 15. Assumes responsibility for the organization, administration and supervision of the special education programs and services.
 16. Directs, supervises, counsels and assists special education personnel in the operation of their special education programs and services.
 17. Provides ongoing review of programs through administration, supervision, coordination and evaluation of special education programs in accordance with the Local Plan for special education.
 18. Develops, in cooperation with other administrators, procedures to be used in the evaluation of special education programs and services.
 19. Represents the district in legal proceedings related to special education, including mediation, fair hearings and compliance.
 20. Develops procedures for conflict resolution related to special education issues.
 21. Implements the “due process” protections for the disabled, including, but not limited to informal hearings, mediations, fair hearings and complaints.
 22. Works cooperatively with the Directors of Certificated and Classified Personnel Services in interviewing, selecting, assigning, transferring and separation of special education personnel.
 23. Supervises, evaluates and monitors the performance of certificated and classified personnel directly responsible to him/ her, including program administrators, program specialists and psychologists.
 24. Provides leadership in creating healthful human relationships that will provide a suitable climate for learning and teaching.
 25. Assists in the administration of all department related aspects of negotiated employee contracts.
 26. Meets on a regularly scheduled basis with the special education administrative team and school level leadership personnel responsible for special education programs and services.
 27. Assists in the development of public awareness and identification activities related to the individuals with disabilities and ensures the continuous implementation of those activities.
 28. Assists in the organization, administration and supervision of the special education programs and services.
 29. Supervises, evaluates and monitors the performance of certificated and classified personnel directly responsible to him/

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her, including OT/PT Supervisor, Full Inclusion Facilitators and MIS support staff.

30. Develops and implements in-service programs related to special education for district staff, parents and community.
31. Coordinates and supervises the activities of the special education management information system and services.
32. Completes and submits accurate reports as required by district, state and federal jurisdictions.
33. Meets on a regularly scheduled basis with school site leadership responsible for special education in the schools.
34. Works with other departments and school sites to assure the alignment of the curriculum between the general education program and any special education program.
35. Acts as a liaison between district programs and the appropriate local, county, state and national agencies.
36. Creates and/or approves the production of all informational handbooks and descriptive brochures for the various special education programs, centers and services.
37. Creates and/or approves the production of all district forms related to special education programs, procedures and policies.
38. Works cooperatively with the Directors or Certificated and Classified Personnel in recruitment, interviewing, selection, assignment, transfer and separation of special education personnel.
39. Provides staff development opportunities that foster collaboration and best educational practice for general education and special education teachers.
40. Plans and implements professional development for new and continuing special education teachers and assistants.

The Assistant Director (s), Special Education, under the supervision of the Chief/SELPA Director, will plan, implement, coordinate and evaluate a district-wide special education programs for special education students. The duties of this position include, but are not limited to, the following:

1. Coordinates, supervises, develops and organizes resource program, related services, and special day classes throughout the district in accordance with state and federal laws and regulations for students from birth to 22 years old.
2. Develops procedures and practices necessary to implement district policy and/or changes in state and federal laws applicable to the Resource Specialist and the Designated Instruction and Services program.
3. Participates in training, supporting and assisting general education teachers, resource specialists, designated instruction and services personnel, special day class teachers, classified personnel, outside consultants, and administrators.

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4. Plans and implements professional development for new and continuing special education teachers and assistants.
5. Informs site administrators of district policies and procedures and state/federal laws and regulations regarding the Resource Specialist and Designated Instructions and Services program.
6. Supervises the activities of the special education management information system and services. Develops and administers budget, contracts and expenditures relating to non-public schools and agencies, special day classes and centers.
7. Informs administrators and special day class teachers as to program implementation, district policies and state/federal laws and regulations regarding special education.
8. Works collaboratively with program specialists to ensure appropriate special day placement and instruction for students requiring those services.
9. Participate as a district staff representative to the Community Advisory Committee.

The Program Administrator, Alternative Dispute Resolution, under the supervision of the Chief/SELPA Director, will plan, implement, coordinate and evaluate mediation and due process activities, compliance complaints and dispute resolution processes. He/she will also oversee the planning and coordination of non-public schools and agencies services and budgets. The duties of this position include, but are not limited to, the following:

1. Represent the district in mediation, due process and administrative hearings.
2. Maintain a tracking system of information related to mediation, due process and alternative dispute resolution.
3. Monitor compliance and procedures of identification, referral, and assessment related to the IEP process.
4. Advise the Chief/SELPA Director regarding program/policy issues that may need attention as a result of mediation or due process activity.
5. Participate as a district staff representative to the Community Advisory Committee.
6. Investigate compliance complaints and provide documentation to the California State Department of Education.
7. Coordinate the implementation of any corrective actions relating from compliance investigations.
8. Work with site staff to identify procedures and practices that will prevent compliance complaints.
9. Provide training for members of the Community Advisory Committee.
10. Represent the district in planning and implementation activities related to the Alternative Dispute Resolution (ADR) project.
11. Develop and implement contracts with non-public schools and agencies.

The Parent Liaison, under the supervision of the Chief/SELPA Director, will serve as a liaison to assist parents of students with special needs in becoming familiar with the district's general education and special education programs, services and activities. He/she will facilitate an

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- understanding of and provide information on resources available to support families and staff working with students with special needs. The duties of this position include, but are not limited to, the following:
1. Serve as a liaison to parents of students with special needs regarding the district's special education program and services.
 2. Maintain appropriate documentation related to parent contacts, compliance complaints, home visits, and other parent participation activities.
 3. Work collaboratively with district staff and or other organizations/ individual in an effort to resolve parent complaints and or respond to parent inquiries/requests for information.
 4. Coordinate and oversee the Parent Resource Program.
 5. Maintain current information on and communicate regularly with community organizations and social service agencies regarding programs and services available to students with special needs and their families.
 6. Help families identify and independently use community resources, activities and support groups.
 7. Attend IEP meetings on request of parent or district staff.
 8. Assist the Community Advisory Committee Chair and Board in planning, organizing and facilitating meetings and activities.
 9. Provide training for members of the Community Advisory Committee.
 10. Consult with families and district staff to determine needs to be addressed in IEPs.

The Program Specialists are employed by the AU and serve the SELPA under the direction of the Chief/SELPA Director. The MDUSD governing board approves the employment of Program Specialists following the procedure outlined above. Program Specialists provide unique and necessary services to pupils in the Mt. Diablo Unified SELPA and shall provide the following services on a district-wide basis:

1. Observe, consult and provide technical assistance in specialized areas of expertise to general education teachers, resource specialists, special day class teachers, designated instruction and services personnel and administrators.
2. Design programs, coordinate materials and equipment and evaluate the effectiveness of the programs for individuals with exceptional needs.
3. Assist with MDUSD staff development and parent education activities, program development and adoption of research-based best practices.
4. Assist with the referral, assessment and identification of students with special needs.
5. Participate as a team member at IEP meetings when technical assistance is needed and when students are being moved to a more restrictive environment.
6. Assume leadership in the development, periodic revision and implementation of goals and objectives on the IEP.
7. Provide special education administrators with recommendations for the assignment of students to appropriate special education programs.
8. Represent the district at IEP meetings for students served

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- outside the district.
- 9. Assist special education administrators with staff evaluations.
- 10. Provide data to assist in determining needs for budget revisions.
- 11. Serve as a representative and consultant with non-district professionals, agencies and parents to interpret special education laws, policies, procedures, programs and services.
- 12. Serve as a liaison to various community agencies such as the Department of Mental Health, the Department of Human Services, the Regional Center of the East Bay, California Children's Services and the Probation Department.
- 13. Administer special education programs located throughout the SELPA.

2. Coordinated system of identification and assessment:

Reference Number: Current Local Plan SELPA Assurances, Board Policy 6159, 6164.4

Document Title: Individualized Education Program (IEP)

Document Location: https://www.mdusd.org/superintendent/board_policies

Description:

Board Policy 6159- Individualized Education Program

Students with disabilities shall receive a free appropriate public education (FAPE) in the least restrictive environment which meets their unique needs to the extent provided by law.

The Superintendent or designee shall develop administrative regulations regarding the identification, assessment, and placement of students with disabilities, as well appointment of the individualized education program (IEP) team, the content of the IEP, and provisions of a free, appropriate public education.

Board Policy 6164.4 Identification And Evaluation Of Individuals For Special Education

The Superintendent or designee shall establish a comprehensive system that includes procedures for the identification, screening, referral, and regular and triennial assessment of individuals eligible for special education, as well as procedures for the planning, implementation, and review of the education and related services provided to such individuals.

The district's identification procedures shall include methods for utilizing referrals from parents/guardians, teachers, appropriate professionals, and others, and shall be coordinated with school site procedures for referral of students whose needs cannot be

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met with modifications to the regular instructional program.
(Education Code 56302)

The Superintendent or designee shall notify parents/guardians in writing of their rights related to identification, screening, referral, assessment, instructional planning, implementation, review including the right to consent to any assessment concerning their child. In addition, the Superintendent or designee shall notify parents/guardians of the procedures for initiating a referral for assessment to identify individuals who need special education services. The district shall provide parents with a copy of their rights and procedural safeguards once per year in addition to initial referral, parental request for assessment, the first filing for a due process hearing, or upon parental request.
(Education Code 56301)

3. Coordinated system of procedural safeguards:

Reference Number: Current Local Plan SELPA Assurances, Board Policy 6159.1, 6164.4

Document Title: 1. Procedural Safeguards/Due Process Hearings
2. Identification And Evaluation Of Individuals For Special Education

Document Location: https://www.mdusd.org/superintendent/board_policies

Description:

Board Policy 6159.1 Procedural Safeguards/Due Process Hearings
 In order to protect the rights of students with disabilities and their parents/guardians, the district shall follow all procedural safeguards as set forth in law.

Parents/guardians shall receive written notice of their rights, including the right to a due process hearing for any dispute related to the identification, assessment or educational placement of a child or the provision of a free, appropriate public education to the child.

Board Policy 6164.4 Identification And Evaluation Of Individuals For Special Education
 The Superintendent or designee shall notify parents/guardians in writing of their rights related to identification, screening, referral, assessment, instructional planning, implementation, review including the right to consent to any assessment concerning their child. In addition, the Superintendent or designee shall notify parents/guardians of the

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procedures for initiating a referral for assessment to identify individuals who need special education services. The district shall provide parents with a copy of their rights and procedural safeguards once per year in addition to initial referral, parental request for assessment, the first filing for a due process hearing, or upon parental request. (Education Code 56301)

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

Reference Number:

Document Title:

Document Location:

The Governing Board believes that in order to maximize student learning certificated staff members must be continuously learning and improving their skills. The Superintendent or designee shall develop a program of ongoing professional development which includes opportunities for teachers and certificated teaching assistants to enhance their instructional and classroom management skills and increase their knowledge of academic content in the core curriculum. The program may include but is not limited to:

1. Mastery of discipline-based knowledge, including the state-adopted standards, and effective subject-specific pedagogical skills
2. Effective classroom management skills, ability to relate to students, understand their various stages of growth and development, and motivate them to learn
3. Teaching methods and strategies, including the use of technologies to enhance instruction
4. Sensitivity to the needs of diverse student populations, including minorities, students with disabilities, English language learners and economically disadvantaged students, and ability to meet those needs
5. Understanding of how academic and vocational instruction can be integrated and implemented to increase student learning; skill in evaluating and combining available instructional resources; opportunities to collaborate with other staff members in the alignment of academic and vocational curricula

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Description:

6. Knowledge of strategies that enable parents/guardians to participate fully and effectively in their children's education

7. Training related to student health, safety and welfare

The Superintendent or designee shall ensure that certificated staff members have opportunities to learn both from outside sources and from each other. These opportunities may include release time, leaves of absence or use of noninstructional time for:

1. Visits to other classrooms and other schools

2. Attendance at professional education conferences or committee meetings

3. Participation in professional development networks that promote inquiry and allow staff to analyze and evaluate each other's work

4. Peer conferences and/or joint staff preparation time

5. Discussions with representatives of business and community agencies for the purpose of identifying the skills, knowledge and aptitudes necessary for specific career paths and developing meaningful career-related, work-based learning experiences

6. Internships in industry and community agencies where teachers can learn how academic skills are used in the workplace

7. Travel, study and research in subject matter content and effective educational practices

8. Training classes and workshops offered by the district, county office of education or state projects

9. Training in institutions of higher education, including credit courses conducted in or near the district whenever possible

10. Follow-up activities that help staff to implement newly acquired skills

The Chief/SELPA Director shall serve on behalf of the LEA and implement the Local Plan including coordination system of staff development and parent education.

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

Reference Number:

Document Title:

Document Location:

Description:

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

Reference Number:

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Document Title: Local Control and Accountability Plan, SELPA Assurances

Document Location: https://www.mdusd.org/superintendent/board_policies

The Governing Board desires to ensure the most effective use of available funding to improve outcomes for all students. A community-based, comprehensive, data-driven planning process shall be used to identify annual goals and specific actions and to facilitate continuous improvement of district practices.

The Board shall adopt a districtwide local control and accountability plan (LCAP), following the template provided in 5 CCR 15497.5, that addresses the state priorities in Education Code 52060 and any local priorities adopted by the Board. The LCAP shall be updated on or before July 1 of each year and, like the district budget, shall cover the next fiscal year and subsequent two fiscal years. (Education Code 52060; 5 CCR 15497.5)

The LCAP shall focus on improving outcomes for all students, particularly those who are "unduplicated students" and other underperforming students.

Unduplicated students include students who are eligible for free or reduced-price meals, English learners, and foster youth and are counted only once for purposes of the local control funding formula. (Education Code 42238.02)

The Superintendent or designee shall review the single plan for student achievement (SPSA) submitted by each district school pursuant to Education Code 64001 to ensure that the specific actions included in the LCAP are consistent with strategies included in the SPSA. (Education Code 52062)

The LCAP shall also be aligned with other district and school plans to the extent possible in order to minimize duplication of effort and provide clear direction for program implementation.

Plan Development

The Superintendent or designee shall gather data and information needed for effective and meaningful plan development and present it to the Board and community. Such data and information shall include, but not be limited to, data regarding the numbers of students in various student subgroups, disaggregated data on student achievement levels,

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and information about current programs and expenditures.

The Board shall consult with teachers, principals, administrators, other school personnel, employee bargaining units, parents/guardians, and students in developing the LCAP. Consultation with students shall enable unduplicated students and other numerically significant student subgroups to review and comment on LCAP development and may include surveys of students, student forums, student advisory committees, and/or meetings with student government bodies or other groups representing students. (Education Code 52060; 5 CCR 15495)

Public Review and Input

The Superintendent or designee shall present the LCAP to the parent/guardian and/or community advisory committee(s) before it is submitted to the Board for adoption, and shall respond in writing to comments received from the committee(s). The advisory committees shall include parent/guardians of unduplicated students. (Education Code 52062, 52063; 5 CCR 15495)

Whenever district enrollment includes at least 15 percent English learners, with at least 50 students who are English learners, the Board shall establish an English learner parent advisory committee composed of a majority of parents/guardians of English learners. (Education Code 52063; 5 CCR 15495)

The Superintendent or designee shall present the LCAP to the committee(s) before it is submitted to the Board for adoption, and shall respond in writing to comments received from the committee(s). (Education Code 52062, 52063; 5 CCR 15495)

The Superintendent or designee shall notify members of the public of the opportunity to submit written comments regarding the specific actions and expenditures proposed to be included in the LCAP. The notification shall be provided using the most efficient method of notification possible, which may not necessarily include producing printed notices or sending notices by mail. All written notifications related to the LCAP shall be provided in the primary language of parents/guardians when required by Education Code 48985. (Education Code 52062)

The Board shall hold at least one public hearing to solicit the recommendations and comments of members of the public regarding the specific actions and expenditures proposed to be included in the LCAP. The public hearing shall be held at the same meeting as the budget

Description:

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hearing required pursuant to Education Code 42127 and AR 3100 - Budget. (Education Code 42127, 52062)

Adoption of the Plan

The Board shall adopt the LCAP prior to adopting the district budget, but at the same public meeting. This meeting shall be held after the public hearing described above, but not on the same day as the hearing.

The Board may adopt revisions to the LCAP at any time during the period in which the plan is in effect, provided the Board follows the process to adopt the LCAP pursuant to Education Code 52062 and the revisions are adopted in a public meeting. (Education Code 52062)

Submission of Plan to County Superintendent of Schools

Not later than five days after adoption of the LCAP, the Board shall file the LCAP with the County Superintendent of Schools. (Education Code 52070)

If the County Superintendent sends, by August 15, a written request for clarification of the contents of the LCAP, the Board shall respond in writing within 15 days of the request. If the County Superintendent then submits recommendations for amendments to the LCAP within 15 days of receiving the Board's response, the Board shall consider those recommendations in a public meeting within 15 days of receiving the recommendations. (Education Code 52070)

Monitoring Progress

The Superintendent or designee shall report to the Board, at least annually in accordance with the timeline and indicators established by him/her and the Board, regarding the district's progress toward attaining each goal identified in the LCAP. Evaluation data shall be used to recommend any necessary revisions to the LCAP.

Technical Assistance/Intervention

When it is in the best interest of the district, the Board may submit a request to the County Superintendent for technical assistance, including, but not limited to: (Education Code 52071)

1. Assistance in the identification of district strengths and weaknesses in regard to state priorities and review of effective, evidence-based

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programs that apply to the district's goals

2. Assistance from an academic expert, team of academic experts, or another district in the county in identifying and implementing effective programs to improve the outcomes for student subgroups
3. Advice and assistance from the California Collaborative for Educational Excellence established pursuant to Education Code 52074

In the event that the County Superintendent requires the district to receive technical assistance pursuant to Education Code 52071, the Board shall review all recommendations received from the County Superintendent or other advisor and shall consider revisions to the LCAP as appropriate in accordance with the process specified in Education Code 52062.

If the Superintendent of Public Instruction (SPI) identifies the district as needing intervention pursuant to Education Code 52072, the district shall cooperate with any action taken by the SPI or any academic advisor appointed by the SPI, which may include one or more of the following:

1. Revision of the district's LCAP
2. Revision of the district's budget in accordance with changes in the LCAP
3. A determination to stay or rescind any district action that would prevent the district from improving outcomes for all student subgroups, provided that action is not required by a collective bargaining agreement

The Mt. Diablo Unified Chief/SELPA Director shall serve on behalf of the LEA and implement the Local Plan including coordination of a system of internal program review, evaluation of the Local Plan effectiveness and implementation of a Local Plan accountability tool.

7. Coordinated system of data collection and management:

Reference Number: Board Policy 0500, and SELPA Assurances

Document Title: Philosophy, Goals, Objectives and Comprehensive Plans

https://www.mdusd.org/superintendent/board_policies

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Document Location: https://www.mdusd.org/departments/special_ed

Description:

The Governing Board has a responsibility to continually reexamine district programs and practices to determine their effectiveness in serving all students. Review and evaluation procedures shall provide a mechanism for ensuring accountability to parents/guardians and the community.

To enable the Board to fulfill these responsibilities, the Superintendent or designee shall identify and/or develop appropriate measures to ensure accountability. These measures shall be integrated and consistent with the state's accountability system and may include, but not be limited to, measures to evaluate student achievement, parent/guardian involvement and other district goals.

The Superintendent or designee shall regularly report to the Board regarding progress toward the district's vision/direction and goals and the implementation of comprehensive plans.

Ongoing district processes, such as the Board's evaluation of the Superintendent, policy reviews, curriculum adoption, budget adoption and staff development program, shall also be used to support district progress towards achieving the vision/direction.

Opportunities for feedback from students, parents/guardians, staff and community members shall be made available as part of the district's review and evaluation process.

Evaluation results may be used as a basis for implementing programmatic changes, determining the need for additional support or assistance, awarding incentives or rewards, and establishing other performance-based consequences.

Evaluation results shall be reported to parents/guardians and the community.

Annually, after results are received, the Board shall, at a regularly scheduled meeting, discuss the results of each school's annual ranking on the statewide Academic Performance Index. (Education Code 52056)

The Chief/SELPA Director shall serve on behalf of the LEA and implement the Local Plan including coordination system of data collection and data management.

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SELPA Assurances
 The Chief/SELPA Director will assign individual(s) to collect, compile, report and certify for accuracy data included in the annual evaluation report submitted to the California Department of Education. Published reports of this data shall be available for review by interested community members. 56205(a)(12)(B)

Data gathering, compilation, reporting, processing and certification of accuracy will be completed by the designated responsible individual(s) assigned by the Chief/SELPA Director. Data will be included in the Annual Evaluation submitted to the California Department of Education.

The Chief/SELPA Director shall coordinate with District Accountability Department regarding the District system of data collection management of the State accountability for special education and act as Designee to the Superintendent regarding the management State Accountability reviews.

8. Coordination of interagency agreements:

Reference Number: Board Policy 1400, SELPA Assurances

Document Title: Relations Between Other Governmental Agencies and SELPA Assurances

Document Location: https://www.mdusd.org/superintendent/board_policies
https://www.mdusd.org/departments/special_ed

Board Policy 1400
 The Governing Board recognizes that agencies at all levels of government share its concern and responsibility for the welfare, health and safety of youth. The Board and district staff shall take every opportunity to work cooperatively with these agencies for the benefit of our students. The Superintendent or designee shall initiate and maintain good working relationships with representatives of these agencies in order to help our schools and students make use of the resources which governmental agencies can provide.

Description:
 The district may enter into agreements with other agencies which involve the exchange of funds or reciprocal services. Such agreements shall be approved by the Board and executed in writing.

SELPA Assurances
 The Chief/SELPA Director shall serve on behalf of the LEA and

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implement the Local Plan including coordination of interagency agreements.

The Chief/SELPA Director acts as a liaison between district programs and the appropriate local, county, state and national agencies.

9. Coordination of services to medical facilities:

Reference Number: Board Policy 5141, 6183, SELPA Assurances

Document Title: Healthcare and Emergencies, Home and Hospital Instruction, SELPA Assurances

Document Location: https://www.mdusd.org/superintendent/board_policies
https://www.mdusd.org/departments/special_ed

Description:

Board Policy 5141
The Governing Board recognizes the importance of taking appropriate action whenever an emergency threatens the safety, health or welfare of a student at school or during school-sponsored activities.

The Superintendent or designee shall develop procedures to ensure that first aid and/or medical attention is provided as quickly as possible when student accidents and injuries occur and that parents/guardians are notified as appropriate.

The Superintendent or designee shall ask parents/guardians to provide emergency contact information in order to facilitate communication in the event of an accident or illness.

District staff shall appropriately report and document student accidents

Board Policy 6183
School age special education students shall receive special education and related service in the Home and Hospital Program if the student's individualized education program ("IEP") team recommends such instruction or services. To be eligible for instruction in the Home and Hospital Program, the IEP team must have a medical report from the attending physician and surgeon or the report of the psychologist, as appropriate, stating the diagnosed condition and certifying that the severity of the condition prevents the pupil from attending a less restrictive placement. The report shall include a specified date for the projected return of the student to the classroom.

Home and Hospital placement determinations must be made by the IEP team. Instruction in the Home and Hospital Program shall be provided by a general education teacher, the special education teacher

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or the resource specialist, if the teacher or specialist is certified to provide such instruction and services and if the provision of such instruction and services by the teacher or specialist is feasible. If not, the appropriate related services specialist shall provide such instruction.

For special education students with a medical condition related to surgery, accidents, short term illness or medical treatment for a chronic illness, the IEP team shall review, and revise, if appropriate, the IEP whenever there is a significant change in the pupil's current medical condition.

The Chief/SELPA Director shall serve on behalf of the LEA and implement the Local Plan including coordination of services with medical facilities.

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

Reference Number: Board Policy 6173.1, SELPA Assurances

Document Title: Regionalized Services and Operations and SELPA Assurances

Document Location: https://www.mdusd.org/superintendent/board_policies
https://www.mdusd.org/departments/special_ed

Description:

Board Policy 6173.1
The Governing Board recognizes its obligation to ensure that foster youth have access to the academic resources, services and extracurricular and enrichment activities that are available to district students. The district shall provide students in foster care within the district with access to educational opportunities and other services necessary to help such students achieve the district's performance standards.

The Superintendent or designee shall ensure that placement decisions for foster youth are based on the students' best interests as defined in law and administrative regulation.

The Superintendent or designee shall collaborate with the county placing agency and other appropriate agencies to ensure maximum utilization of available funds and to meet the educational needs of foster youth within the district.

SELPA Assurances
The Chief/SELPA Director shall serve on behalf of the LEA and implement the Local Plan including the coordination of services with licensed children's facilities and foster family homes.

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Chief/SELPA Director, Assistant Director (s), and Program Specialists work with the Child Welfare and Attendance, Foster Liaison for the District and County Office of Education SBCSS, Foster Youth Division to ensure services are provided to students who reside within the District boundaries that are in foster care or licensed children's institutes.

The District Parent Liaison works with the County Social Worker to appoint an Educational Representative for foster youth when required by the courts to ensure educational opportunity. 20 U.S. Code § 1415 (b)(ii)

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

Reference Number:

Document Title:

Document Location:

Description:

The Chief/SELPA Director shall serve on behalf of the LEA and implement the Local Plan including the coordination of the SELPA and the administration of the Local Plan, the coordination system of internal program review, evaluation of the Local Plan effectiveness and implementation of a Local Plan accountability tool and the preparation and transmission of required SELPA reports.

The Chief/SELPA Director, with the assistance of the AU shall be responsible to prepare all program and fiscal reports required of the SELPA by the state.

The Chief/SELPA Director shall develop the Annual Services Plan for approval by the governing board, Superintendent and submission to the Community Advisory Committee (CAC) to review. It will include a description and location of all services to be provided for students in accordance with EC Section 56205(b)(2).

The governing board agrees to review and approve the SELPA Annual Budget Plan and any subsequent modifications

Both the annual budget and service plan for the District are reviewed, at least annually by the Finance Department, Special Education Administrators, CAC, and Superintendent's Cabinet. All policies implemented in the single district SELPA are developed consistent with the district Administrative Procedures.

SELPA staff provide support to the CAC for coordinating meetings and

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special events sponsored by the CAC and SELPA..

12. Fiscal and logistical support of the CAC:

Reference Number: Board Policy 0430,
Community Advisory Committee Bylaws,
SELPA Assurances

Document Title: Regionalized Services and Operations

Document Location: MDUSD.org

Description:

Board Policy 0430
 The local plan shall establish a Community Advisory Committee, which will act in an advisory capacity to the Board. (Education Code†56190) The committee is to be formed with members appointed by, and responsible to, the Board. The local plan shall describe procedures by which the Board shall establish a SELPA Community Advisory Committee and its membership. (Education Code†56191) The committee must be composed of parents of individuals with exceptional needs and other students, students and adults with disabilities, regular and special education teachers, administrators, and representatives from other public and private agencies. (Education Code†56192) Both the teachers and parents who are involved in development of the local plan are to be selected by their peers. (Education Code†56195.3)

The local plan vests the Committee with authority to fulfill the responsibilities defined for it in the local plan. This committee shall advise the Board in the development, amendment and review of the local plan, recommend annual priorities to be addressed by the plan, promote parent/guardian and community involvement, assist in parent/guardian education and support activities on behalf of individuals with exceptional needs.

Community Advisory Committee Bylaws
 The Community Advisory Committee shall serve in an advisory capacity to the administration and policy making body of the SELPA regarding the development and comprehensive plan and review of the programs under such plan.

SELPA Assurances
 The Chief/SELPA Director serves as a liaison between the governing board and the Community Advisory Committee for Special Education and provides recommendations for its membership.

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The Chief/SELPA Director shall serve on behalf of the LEA and implement the Local Plan including fiscal and logistical support of the Community Advisory Committee.

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

Reference Number: Board Policy 3541.2,

Document Title: Transportation for Students with Disabilities

Document Location: https://www.mdusd.org/superintendent/board_policies

Description:

Board Policy 3541.2
The Governing Board shall ensure that appropriate transportation services are provided for students with disabilities as specified in their individualized education program (IEP) or accommodation plan. The district shall make home-to-school transportation available for students at no cost to parents/guardians as specified in the student's IEP or Section 504 accommodation plan.

The Superintendent or designee shall establish criteria and procedures for determining the most appropriate mode of transportation for an individual student based on identified needs as determined in the IEP or Section 504 accommodation plan.

The Superintendent or designee shall arrange transportation schedules so that students with disabilities do not spend an excessive amount of time on buses compared to other students. Arrivals and departures shall not reduce the length of the school day for these students except as may be prescribed on an individual basis.

The Superintendent or designee shall establish procedures to ensure compatibility between mobile seating devices and bus securement systems.

The Superintendent or designee shall establish, and evaluate procedures, to provide consistent pickup and drop-off times for students with disabilities.

When authorizing special transportation for students with disabilities, the individualized education program (IEP) team or Section 504 committee shall consider, at a minimum, all of the following:

1. The student's safety and health needs

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2. The extent to which transportation arrangements may help the student develop independent mobility skills

3. The student's difficulty in using regular transportation services

4. The coordination of regular and special transportation

Disabled students who do not meet any of the above criteria may use regular home-to-school transportation.

When a disabled student is excluded from school bus transportation due to expulsion, the district shall provide alternative transportation at no cost to the student or parent/guardian. (Education Code 48915.5)

When contracting with a nonpublic, nonsectarian school or agency to provide special education services, the Superintendent or designee shall ensure that the contract includes general administrative and financial agreements related to the provision of transportation services specified in the student's IEP. (Education Code 56366)

Guide dogs, signal dogs and service dogs trained to provide assistance to disabled persons may be transported in a school bus when accompanied by disabled students, disabled teachers or persons training the dogs. (Education Code 39839)

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

Reference Number: Board Policy 6178.1

Document Title: Work Experience Education

Document Location: https://www.mdusd.org/superintendent/board_policies

In order to provide students with valuable instruction in the skills, attitudes and understandings necessary for successful employment, the Governing Board shall offer a program of work experience education. Students enrolled in this program shall receive guidance and supervision designed to ensure maximum educational benefit from placement in suitable work experience education courses.

Work experience education shall include the part-time employment of students in jobs which are selected or approved as having educational value for the employed students and which are coordinated by school

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Description:

employees. (Education Code 51764)

The Board may provide for liability insurance for students participating in work experience programs of study off school grounds in accordance with law and Board policy. (Education Code 51760)The Chief/SELPA Director shall serve on behalf of the LEA and implement the Local Plan including the coordination of career, vocational, and transition services.

The District involves key stakeholders in planning and implementing an array of services that will culminate in successful student transition to employment, lifelong learning and quality of life.

15. Assurance of full educational opportunity:

Reference Number: Board Policy 0410, SELPA Assurances

Document Title: Philosophy, Goals, Objectives and Comprehensive Plans

Document Location: https://www.mdusd.org/superintendent/board_policies
https://www.mdusd.org/departments/special_ed

Board Policy 0410

The Governing Board is committed to providing equal opportunity for all individuals in education. District programs, activities, facilities and practices shall be free from discrimination, harassment, intimidation, and bullying based on actual or perceived ancestry, age, color, disability, gender, gender identify, gender expression, nationality, race or ethnicity, religion, sex, sexual orientation, actual or potential parental, family, marital status, or association with a person or a group with one or more of these actual or perceived characteristics.

Equity: A Definition

Ensuring equal access to educational opportunity for all students by minimizing or eliminating the impact of disparities in abilities, levels of preparation, available resources and socio-cultural differences in achievement and performance so that all students may perform at optimum levels.

Proposed Equity Policy Statement Mount Diablo Unified School District

The Mt. Diablo Unified School District is strongly committed to maintaining high expectations for all of its students and to eliminating persistent disparities in achievement, performance and socio-emotional

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adjustment among subgroups based on race, ethnicity, language, national origin, gender, sexual orientation, gender identity, gender expression, socio-economic status or disability. All policies and practices will reflect the goals of eliminating gaps in access to educational opportunities for all of our students to ensure that they achieve academic proficiency through their educational journeys. The district will advance these goals by creating a culturally competent staff, maintaining uniformly high expectations for all, promoting rigorous curricula, differentiating instruction, and maximizing access for all students to high-level educational opportunities. ¶¶ Given the urgency of this mission, the district is committed to having a proper emphasis on culturally responsive service delivery and consistently examining and monitoring policies, programs, practices, and written documents to ensure that they are consistent with these goals.

All staff will understand how their positions contribute directly or indirectly to these goals, develop the knowledge and skills needed in their areas of influence to serve diverse students and families, and be accountable for implementing a plan that will achieve these goals. By purpose and design, the district will promote practices that provide each student with the academic, emotional and social supports needed to increase the achievement of underperforming subgroups at an accelerated rate while maintaining and increasing overall student performance. It is expected that the district will work with the broader community (the private sector, faith-based groups, community-based agencies and organizations, and higher education institutions, etc.) to work in concert to support all of our youth in achieving academic and social proficiency.

Disproportionality: A Definition

Disproportionality is the inappropriate overrepresentation and over-identification of ethnic minority children in special education. The disproportionality is in the relationship or association between a child's race or ethnicity and the numbers and type of special education classification and placement that result.

Proposed Policy Statement on Disproportionality Mount Diablo Unified School District

Board Policy 0411

The Mt. Diablo Unified School District is committed to becoming a district in which all students, staff and community respect cultural, racial and economic diversity and all students are recognized and supported for

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their individuality and culture. The district recognizes that the overrepresentation of certain ethnic minority students in special education and in the disciplinary system is a nationwide problem and that multiple factors contribute to disparities in academic achievement, socio-emotional adjustment and behavior between student sub groups. The causes of disproportionality are complex and cross many social systems and the district recognizes that inappropriate identification and placement of students in special education can have long-term deleterious effects. The district is committed to examining the root causes of disproportionality to ensure that race, ethnicity, gender and socio-economic status are not predictors of which students will be referred for special education services or to the disciplinary system and partnering with health and human service agencies to correct these persistent patterns.

Board Policy 0420

The Governing Board encourages employees, students, parents/guardians and other members of the school community to develop school plans designed to meet the specific needs at individual school sites. The Board may approve or disapprove school plans as necessary in order to fulfill the district's mission, accomplish the Board's adopted goals and/or comply with legal requirements.

Board Policy 0420.1

In order to best serve students with special needs, as well as students participating in designated educational programs, the Governing Board encourages school-based program coordination as a means for achieving flexibility in the use of the categorical funds received by each school. The Board believes that resources acquired to assist students in one program often can benefit other students without in any way depriving the originally targeted group.

A school-site council shall be established at each school to consider whether or not it wishes the school to participate in school-based program coordination. All interested persons shall have an opportunity to meet in public to establish the site council. (Education Code 52852.5)

SELPA Assurances

The Chief/SELPA Director shall serve on behalf of the LEA and implement the Local Plan including the assurance of full educational opportunity.

16. Fiscal administration and the allocation of state and federal funds pursuant to *EC* Section 56836.01—The SELPA Administrator's responsibility for the fiscal administration of the annual

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budget plan; the allocation of state and federal funds; and the reporting and accounting of special education funding.

Reference Number: Board Policy 0430 and SELPA Assurances

Document Title: Comprehensive Local Plan for Special Education

Document Location: https://www.mdusd.org/superintendent/board_policies
https://www.mdusd.org/departments/special_ed

Board Policy 0430
The Governing Board desires to provide a free appropriate public education for all individuals with disabilities, aged 3 to 21 years, who reside in the district, including children who have been suspended or expelled or placed by the district in a nonpublic, nonsectarian school.

The district shall provide special education instruction and services for individuals with disabilities in accordance with the federal Individuals with Disabilities Education Act. Students shall be referred for special education instruction and services only after the resources of the regular education program have been considered, and where appropriate, utilized (Education Code 56303) (20 USC 1400)

Accommodations, modifications and/or special services and aids shall also be provided as needed for students who are eligible for services under Section 504 of the federal Rehabilitation Act of 1973, the Americans with Disabilities Act and related federal regulations.

Single-district Special Education Local Plan Area (SELPA)

Special education programs are to be provided under an approved local plan that sets forth the elements of those programs in accordance with the requirements of Chapter 3 of the Education Code (commencing with section 56205, Education Code 56027). As a single-district SELPA, the board shall approve the district's local plan to meet the needs of individuals with disabilities residing in the district. (Education Code 56195, 56195.1(a))

Duties of District

The district develops the local plan with input from the Community Advisory Committee. (Education Code 56001(f)) The district shall cooperate and collaborate with the county office in developing the plan and shall submit the plan to the county office for review once complete.

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Description:

(Education Code 56195.3) The final plan shall be submitted to the Superintendent of Public Instruction. (Education Code 56205)

Each SELPA submitting a local plan must assure that it has in effect policies, procedures, and programs that are consistent with federal and state law governing the provision of special education and related services. (Education Code 56040, 56041, 56205) This includes provision of appropriate staff development programs. (Education Code 56240)

The district shall also adopt policies for the programs it operates under the local plan, including: nonpublic services, review of placement of students with disabilities and their IEPs, when necessary, procedural safeguards, resource specialists, transportation, information on the number of individuals with exceptional needs who are being provided special education and related services, and caseloads. (Education Code 56195.8) This information may be included as part of the local plan. The district must cooperatively develop and continue to update the plan with the following requirements. (Education Code 56195.9)

Requirements of the Local Plan

The local plan shall establish a Community Advisory Committee, which will act in an advisory capacity to the Board. (Education Code 56190) The committee is to be formed with members appointed by, and responsible to, the Board. The local plan shall describe procedures by which the Board shall establish a SELPA Community Advisory Committee and its membership. (Education Code 56191) The committee must be composed of parents of individuals with exceptional needs and other students, students and adults with disabilities, regular and special education teachers, administrators, and representatives from other public and private agencies. (Education Code 56192) Both the teachers and parents who are involved in development of the local plan are to be selected by their peers. (Education Code 56195.3)

The local plan vests the Committee with authority to fulfill the responsibilities defined for it in the local plan. This committee shall advise the Board in the development, amendment and review of the local plan, recommend annual priorities to be addressed by the plan, promote parent/guardian and community involvement, assist in parent/guardian education and support activities on behalf of individuals with exceptional needs. (Education Code 56190 - 56194).

The local plan shall also contain: an annual budget plan, an annual service plan, including the nature and location of services to be provided

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so as to provide access to all individuals with disabilities, a description of programs for early childhood special education (ages birth through five years old), a description of a method through which the questions and concerns of parents of children receiving services under the plan will be addressed and answered, a description of a dispute resolution process, including mediation and binding arbitration, to resolve disputes over local plan administration, verification that the Community Advisory Committee was given at least thirty days to review the local plan prior to submission to the Superintendent, a description of the general education process to be used prior to referral for special education, and a description of the process used to supervise and evaluate placements and provision of services at nonpublic schools. (Education Code 56205) The plan shall also include a description of how specialized equipment and services will be distributed so as to maximize opportunities to serve students with exceptional needs in the least restrictive environments. (Education Code 56206)

SELPA Assurances

The Chief/SELPA Director shall serve on behalf of the LEA and implement the Local Plan including the fiscal administration and the allocation of state and federal funds.

The Superintendent has executive responsibility for implementing the Local Plan. Additional duties include, but are not limited to:

1. Implements and monitors all special education policies established by the governing board.
2. Reviews and recommends the annual budget and staffing formulas for special education programs and recommends them to the governing board.
3. Ensures the district's compliance with federal and state laws and regulations as they pertain to individuals with exceptional needs.

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

Reference Number:

Document Title:

Document Location:

MDUSD Special Education Procedures Manual
The Program Specialists are employed by the AU and serve the SELPA under the direction of the Chief/SELPA Director. The MDUSD governing board approves the employment of Program Specialists following the

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Description:

procedure outlined above. Program Specialists provide unique and necessary services to pupils in the Mt. Diablo Unified SELPA and shall provide the following services on a district-wide basis:

1. Observe, consult and provide technical assistance in specialized areas of expertise to general education teachers, resource specialists, special day class teachers, designated instruction and services personnel and administrators.
2. Design programs, coordinate materials and equipment and evaluate the effectiveness of the programs for individuals with exceptional needs.
3. Assist with MDUSD staff development and parent education activities, program development and adoption of research-based best practices.
4. Assist with the referral, assessment and identification of students with special needs.
5. Participate as a team member at IEP meetings when technical assistance is needed and when students are being moved to a more restrictive environment.
6. Assume leadership in the development, periodic revision and implementation of goals and objectives on the IEP.
7. Provide special education administrators with recommendations for the assignment of students to appropriate special education programs.
8. Represent the district at IEP meetings for students served outside the district.
9. Assist special education administrators with staff evaluations.
10. Provide data to assist in determining needs for budget revisions.
11. Serve as a representative and consultant with non-district professionals, agencies and parents to interpret special education laws, policies, procedures, programs and services.
12. Serve as a liaison to various community agencies such as the Department of Mental Health, the Department of Human Services, the Regional Center of the East Bay, California Children's Services and the Probation Department.
13. Administer special education programs located throughout the SELPA.

SELPA Assurances

The Chief/SELPA Director shall serve on behalf of the LEA and implement the Local Plan including the direct instructional support provided by program administrators and program specialists.

Special Education Local Plan Area Services

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

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Reference Number:

BP 6159.6

Document Title:

Regionalized Services and Operations

Document Location:

https://www.mdusd.org/superintendent/board_policies

The Governing Board supports the implementation of the California Early Start programs for infants and toddlers with disabilities.

The Superintendent or designee will ensure that eligible infants and toddlers have an annual Infant Family Service Plan (IFSP) that addresses the infant or toddler's needs and the needs of the family as they relate to the infant's developmental/educational needs. Each IFSP will be developed by the parents of each eligible infant/toddler and a district infant service coordinator, as well as others providing services to the infant/toddler. The contents of the initial and all annual and other IFSPs will be fully explained and discussed with the parent/guardian(s) and the parent/guardian(s) shall receive a legible copy of the IFSP.

IFSP early intervention services are to be provided in the child's natural environment. This means in the home, childcare or other community setting where there are children with and without disabilities. Each IFSP will include a statement of the natural environments in which services will be delivered. Services can be provided outside the natural environment only when early intervention cannot be achieved in a natural environment. Should a service be provided outside of a natural environment, the IFSP must provide justification of the extent individual services will not be provided in a natural environment.

EARLY START PROGRAM DESCRIPTION

The Early Start Program (ESP) is a collaboration between the Regional Center of the East Bay (RCEB) and the Contra Costa County Office of Education (CCOE) and The Mt. Diablo Unified School District (MDUSD). The ESP, shall include services specifically designed to meet the unique needs of infants, from birth to three years of age, and their families. The primary purpose of an early education program is to enhance development of the infant in the context of his or her family. To meet this purpose, the program shall focus upon both the infant and his or her family, and may include home visits, group services, family involvement, and/or parent education activities. Services shall be provided in the natural (home, community) environment whenever possible.

Description:

Early Start Programs shall include, as program options, home-based services and group services.

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Home-based and group services will be provided through a transdisciplinary team consisting of the parent and a group of professionals from various disciplines.

The frequency of home-based services shall be weekly, bi-weekly or monthly, depending on the needs of the infant and the family.

Early education services may also be provided through both home visits and group settings with other infants. The frequency of group services shall not exceed three hours a day for up to, and including, two days a week, and shall be determined on the basis of the needs of the infant and the family.

Parent involvement/education activities are provided in conjunction with home based and group services. (EC 56424-56426.2)

An early education program for preschool children with disabilities shall include specially designed instruction and related services to meet the unique needs of preschool children and their families. To meet this purpose, the program focus is on the young child and his or her family and shall include both individual and small group services, which shall be available in a variety of typical age-appropriate environments for young children, including the home, and shall include opportunities for active parent involvement. (EC 56441.2)

The IEPs of preschool children will describe how the disability affects the child's participation in appropriate activities. (EC 56441.2)

Early education services shall be provided by a transdisciplinary team. Responsibilities of early education staff shall include consultation with regular preschool program providers, consultation with other specialists, assessment services, and direct services.

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

Reference Number:

Document Title:

Document Location:

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The Governing Board looks upon school-community associations such as the PTA, parent clubs, citizen advisory committees and other support groups as integral parts of the school community which can aid substantially in promoting a finer educational program.

The Board encourages active support of and cooperation with school-community associations by teachers and other employees.

Residents of the community shall be encouraged to take an active part in school affairs and may be invited to provide advice individually and in groups as follows:

1. In clarifying the general ideas and attitudes held by our residents regarding schools
2. In developing broad policies under which the school system is to be managed
3. In determining educational goals, the purposes of courses of study and special instructional programs and services to be provided for students
4. In evaluating the extent to which these purposes are being achieved by present practices
5. In giving active assistance to the certificated staff in the actual operation of classes and services where the staff deems such aid valuable
6. In solving a specific problem or set of closely related problems about which the Board must make a decision
7. In the operation of school-related agencies

The Board and the staff shall give substantial weight to the advice which they receive from individuals and community groups interested in the schools, especially those individuals and groups which they have invited or created to advise them regarding selected problems, but the Board and staff shall retain responsibility for making decisions.

Board Policy 1312.3

The Governing Board recognizes that the district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The Board encourages the early, informal resolution of complaints whenever possible and appropriate. To resolve complaints which cannot be resolved through such informal process, the Board shall adopt the uniform system of complaint processes specified in 5 CCR

Description:

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4600-4670 and the accompanying administrative regulation. The district shall investigate complaints alleging failure to comply with applicable state and federal laws and regulations including, but not limited to, allegations about discrimination, harassment, intimidation, bullying and noncompliance with laws relating to pupil fees for participation in an educational activity and to the Local Control Accountability Plan (LCAP) and seek to resolve those complaints in accordance with the District's Uniform Complaint Procedures (EC 234.1, 49010; 5 CCR 4610, 4620-4621, 52075.)

The district shall use the uniform complaint procedures to resolve any complaint alleging unlawful discrimination, harassment, intimidation, or bullying in district programs and activities

on actual or perceived ancestry, age, color, disability, gender, gender identify, gender expression, nationality, race or ethnicity, religion, sex, sexual orientation, actual or potential parental, family, marital status, or the association with a person or a group with one or more the these actual or perceived characteristics identified in Education Code 200 or 220, Governmental Code Section 11135, and including any actual or perceived characteristics as set forth in Penal Code 422.55, including, but not limited to, those funded directly by or that receive or benefit from any state financial assistance (5 CCR 4610.)

School personnel must take immediate steps to intervene when safe to do so when he or she witnesses an act of discrimination, harassment, intimidation, or bullying.

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

Reference Number:

Document Title:

Document Location:

In order to protect the rights of students with disabilities and their parents/guardians, the district shall follow all procedural safeguards as set forth in law.

Parents/guardians shall receive written notice of their rights, including the right to a due process hearing for any dispute related to the

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identification, assessment or educational placement of a child or the provision of a free, appropriate public education to the child.

The Superintendent or designee shall represent the district in any due process hearings conducted with regard to district students and shall provide the Governing Board with the results of these hearings.

Complaints for Special Education

Complaints concerning compliance with state or federal law regarding special education shall be addressed in accordance with the district's uniform complaint procedures.

NOTICE OF PROCEDURAL SAFEGUARDS

How Disputes are Resolved

Due Process Hearing

When is a due process hearing available? You have the right to request an impartial due process hearing regarding the identification, assessment, educational placement of your child and the provision of a free, appropriate public education.

The request for due process must be filed within two years from the date you knew or had reason to know of the facts that were the basis for the hearing request. The time periods described above do not apply if (1) the District made specific representations that it had solved the problem forming the basis of the due process complaint or (2) the District withheld information from the parents, which it was required to disclose.

Mediation and Alternative Dispute Resolution

May I request mediation or an alternate way to resolve the dispute? You may ask the District to resolve disputes through mediation or alternative dispute resolution (ADR), which are less formal and adversarial than a due process hearing. ADR and mediation are voluntary methods of resolving a dispute and may not be used to delay your right to a due process hearing. You may also file for mediation only, with the Office of Administrative Hearings.

Description:

The parents and the District must consent to mediation before it proceeds. A mediator is a person who is trained in strategies that help people come to agreement over difficult issues. (20 USC 1415[d]; EC 56500.3)

May I request mediation or an alternative way to resolve the dispute?

A request for mediation may be made either before or after a request for

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a due process hearing is made. You may ask the school district to resolve disputes through mediation or alternative dispute resolution (ADR), which is less adversarial than a due process hearing. ADR and mediation are voluntary methods of resolving a dispute and may not be used to delay your right to a due process hearing.

What is a prehearing mediation conference?

You may seek resolution through mediation prior to filing a request for a due process hearing. The conference is an informal proceeding conducted in a non-adversarial manner to resolve issues relating to the identification, assessment, or educational placement of a child or to a FAPE.

At the prehearing mediation conference, the parent or the school district may be accompanied and advised by nonattorney representatives and may consult with an attorney prior to or following the conference. However, requesting or participating in a prehearing mediation conference is not a prerequisite to requesting a due process hearing. All requests for a prehearing mediation conference shall be filed with the Superintendent. The party initiating a prehearing mediation conference by filing a written request with the Superintendent shall provide the other party to the mediation with a copy of the request at the same time the request is filed.

The prehearing mediation conference shall be scheduled within fifteen (15) days of receipt by the Superintendent of the request for mediation and shall be completed within thirty (30) days after receipt of the request for mediation unless both parties agree to extend the time. If a resolution is reached, the parties shall execute a legally binding written agreement that sets forth the resolution. All discussions during the mediation process shall be confidential. All prehearing mediation conferences shall be scheduled in a timely manner and held at a time and place reasonably convenient to the parties. If the issues fail to be resolved to the satisfaction of all parties, the party who requested the mediation conference has the option of filing for a due process hearing. (EC 56500.3 and 56503)

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

Reference Number: Board Policy 6159.5

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Document Location:

Description:

It is the intention of the Mt. Diablo Unified SELPA to provide a full continuum of services to students with disabilities, including students in charter schools, throughout the geographic region of the SELPA. The referral, assessment and IEP process is utilized to identify the needs of each individual student with disabilities. The LEA has committed to policies and procedures to assure that students will have their rights to appropriate services provided in the least restrictive environment.

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 a student with disabilities from the general educational environment, occurs only when the nature or severity of the disability of the student is such that education in general classes with the use of supplemental aids and services cannot be achieved satisfactorily.

To ensure the provision of appropriate educational services for all students in the least restrictive environment, the Chief/SELPA Director or designee, along with other staff persons, will conduct a series of review meetings each calendar year from January to April for the purpose of reviewing existing programs and determining what changes in programs need to be made for the following school year. The review shall include, but not be limited to, an analysis of the general and special education services at each school site within the SELPA. Through this process, problems will be identified and changes will be incorporated into the Annual Services Plan for the following school year, with review by the Community Advisory Committee and approval by the Mt. Diablo Unified School District Governing Board.

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

Reference Number:

Document Title:

Document Location:

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Description:

Mt. Diablo Unified SELPA has developed a Master Contract and Service Agreement for students placed in certified non-public, non-sectarian schools. When Mt. Diablo Unified SELPA contracts with a non-public, non-sectarian school, MDUSD shall evaluate the placement of its student(s) in such schools on at least an annual basis as part of the annual IEP review. The MDUSD representative shall review the master contract, the individual service plan agreement and the IEP to ensure that all services agreed upon and specified in the IEP are provided.

Non-public and non-sectarian schools are required by the master contract and the IEP to annually evaluate the students to determine if they are making appropriate educational process. The MDUSD representative shall collaboratively review the non-public, non-sectarian school the evaluations conducted by those schools to ensure that they are appropriate and valid for measuring student progress. MDUSD may choose to administer additional assessments as necessary, with parent consent, to determine whether the student is making appropriate educational progress.

The IEP team will determine standards for meeting requirements for special education students placed in non-public schools who are unable to attain MDUSD's graduation requirements.

Board Policy 6159.2 -Private School Placements By Public Agencies

The Governing Board may contract with state-certified nonpublic, nonsectarian schools or agencies to provide special education services or facilities when an appropriate public education program is not available.

When entering into agreements with nonpublic, nonsectarian schools or agencies, the Board shall consider the needs of the individual student and the recommendations of the individualized education program (IEP) team. The IEP team shall remain accountable for monitoring the progress of students placed in nonpublic, nonsectarian programs towards the goals identified in each student's IEP.

AR 6159.2- Nonpublic, Nonsectarian School And Agency Services For Special Education Placement and Services

The master contract shall include a description of the process being utilized by the district to oversee and evaluate placements in nonpublic, nonsectarian schools. This description shall include a method for

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evaluating whether the student is making appropriate educational progress. (Education Code 56366)

The district IEP team shall annually review the IEP of a student placed in a nonpublic, nonsectarian school or agency. The student's IEP and contract shall specify the review schedules. (5 CCR 3068)

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

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

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

Reference Number: MDUSD Special Education Procedures Guide

Document Title: MDUSD Special Education Procedures Guide

Document Location: https://www.mdusd.org/departments/special_ed

Description: SELPA Procedures Manual
 Adults who are aged 18 through 21 years who have not graduated with a high school diploma, who at the time they turned 18 years were identified as an individual with exceptional needs and had an individualized education program (IEP) under the IDEA are also entitled to FAPE. This applies to adults incarcerated in California adult jails and prisons. For eligible adults who prior to reaching the age of majority resided within the Mt. Diablo Unified School District geographic boundaries, the Mt. Diablo Unified School District will ensure the student is provided with a FAPE. If the parent relocated to a new district of residence, the new district of residence shall become the responsible Local Educational Agency. If the student is conserved, the residence of his or her conservator shall become the responsible Local Educational Agency.