

Orange Unified School District Special Education Local Plan Area (SELPA)

LOCAL PLAN FOR SPECIAL EDUCATION



**Orange Unified School District
1401 N. Handy Street
Orange, California
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Table of Contents

Compliance Assurances	5
Certification of Board Minutes	10
Purpose.....	11
Governance Structure	11
Responsibilities of the Board of Education	12
Responsibilities of The Local Agency	12
Responsibilities of The Superintendent.....	13
Responsibilities of Director (s) of Special Education	13
Responsibilities of SELPA Director (s)	14
Community Advisory Committee	14
Policy.....	14
Responsibilities of the Community Advisory Committee	15
Procedures for Appointment to the Community Advisory Committee.....	15
Regionalized Services.....	16
Distribution of Federal & State Funds	16
Responsibilities for Distribution of Federal & State Funds	16
Monitoring the Use of Special Education Funding	17
Preparation of Program & Fiscal Reports	17
Annual Budget Plan	17
Policy.....	17
Procedure.....	17
Local Plan Development	18
Policy.....	18
Procedure.....	18
Amendments to the Permanent Sections of the Local Plan	18
Annual Service Delivery Plan.....	18
Low Incidence Equipment & Services	19
Guidelines	19
Public Participation.....	20
Policy.....	20
Procedures	20
Charter Schools	20
Policy.....	20
Procedures	21
Literacy	22
Free & Appropriate Public Education (FAPE).....	22
Policy.....	22
Procedures.....	23
Full Educational Opportunity	24

Policy	24
Procedures	24
Child Find	27
Policy	27
Procedures	28
Identification & Referral Procedures	29
Procedures for Utilization of General Education	30
Individualized Educational Plan (IEP).....	30
Policy	30
Procedures	31
IEP Timelines	31
Least Restrictive Environment.....	35
Policy	35
Housing, Disbursement & Assigning of Special Education Programs	35
Physical Location of Programs.	35
Equal Access to General Education Activities	36
IEP Statement of Supplementary Aids & Services	36
IEP Statement Regarding Removal from General Education	36
Cooperation of School Personnel	36
Maximum Access to General Education Programs.....	37
Support of School Personnel	37
Utilization of General Education Resources	37
Distribution of Specialized Equipment & Services.....	37
Procedural Safeguards	38
Policy	38
Procedures for Notification of Procedural Safeguards	38
Annual/Triennial Reassessment Policy	39
Procedures for Annual Assessments	39
Procedures for Triennial Assessments.....	40
Assessment Plans.....	40
Assessment Process	41
Assessment Report	42
Independent Educational Evaluations	42
Interagency Agreements.....	43
Suspension/Expulsion.....	43
Policy	43
Procedures	44
Access to Instructional Materials	44
Procedures for Monitoring the Provision of Services	44
Confidentiality.....	45
Policy	45
Procedures	45
Infant and Preschool Services	45

Early Education Program Description	45
Procedures for Initiating and Processing Referrals.....	46
Part C Transition to Pre-School	46
Policy.....	46
Procedures	46
Private Schools	47
Policy.....	47
Compliance Assurances	47
Policy.....	47
Comprehensive System of Personnel Development.....	48
Policy.....	48
Procedures	48
Performance Goals and Indicators	49
Policy.....	50
Personnel Standards.....	50
Policy.....	50
Procedures	50
Assurance of Qualified Personnel.....	51
Participation in Assessments	51
Policy.....	51
Procedures	51
Supplementation of State/Federal Funds	52
Policy/Assurance Statement.....	52
Procedures	52
Maintenance of Effort.....	52
Policy.....	52
Assurance Statement.....	52
Overidentification and Disproportionality	53
Prohibition on Mandatory Medicine	53
Data	53
Acknowledgements	54

Appendix

- SED-LP-1
- SED-LP-2
- SED-LP-5
- Supplement for Children Birth to Three Years under Part C of IDEA
- Early Start Low Incidence and Transition Referral Information 2014-2015
- Orange County PIES Program Contacts 2014-2015
- RCOC Early Start Roster – April, 2015
- Annual Service Plan-Fiscal Year 2015-16

Orange Unified School District

Special Education Local Plan Area Local Educational Agency Assurances

1. Free Appropriate Public Education (20 United States Code [U.S.C.] § 1412 (a)(1))

It shall be the policy of this local educational agency (LEA) that a free appropriate public education is available to all children residing in the LEA between the ages of 3 and 21, inclusive, including students with disabilities who have been suspended or expelled from school.

2. Full Educational Opportunity (20 U.S.C. § 1412 (a)(2))

It shall be the policy of this LEA that all pupils with disabilities have access to educational programs, non-academic programs, and services available to non-disabled pupils.

a. Child Find (20 U.S.C. § 1412 (a)(3))

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

b. Individualized Education Program (IEP) And Individualized Family Service Plan (IFSP) (20 U.S.C. § 1412 (a)(4))

It shall be the policy of this LEA that an IEP, or an IFSP that meets the requirements of 20 U.S.C. § 1436(d), is developed, reviewed, and revised for each child with a disability who requires special education and related services in accordance with 20 U.S.C. § 1414(d). It shall be the policy of this LEA that a review of an IEP will be conducted on at least an annual basis to review a student's progress and make appropriate revisions.

c. Least Restrictive Environment (20 U.S.C. § 1412 (a)(5))

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

d. Procedural Safeguards (20 U.S.C. § 1412 (a)(6))

It shall be the policy of this LEA that children with disabilities and their parents shall be afforded all procedural safeguards throughout the provision of a free appropriate public education including the identification, evaluation, and placement process.

e. Evaluation (20 U.S.C. § 1412 (a)(7))

It shall be the policy of this LEA that a reassessment of a student with a disability shall be conducted at least once every three years or more frequently, if appropriate.

f. Confidentiality (20 U.S.C. § 1412 (a)(8))

It shall be the policy of this LEA that the confidentiality of personally identifiable data information and records maintained by the LEA relating to children with disabilities and their parents and families shall be protected pursuant to the Family Educational Rights and Privacy Act (FERPA).

g. Part C to Part B Transition (20 U.S.C. § 1412 (a)(9))

It shall be the policy of this LEA that a transition process for a child who is participating in Early Education Programs (Individuals with Disabilities Education Act [IDEA], Part C) with an IFSP is begun prior to a toddler's third birthday. The transition process shall be smooth, timely, and effective for the child and family.

h. Private Schools (20 U.S.C. § 1412 (a)(10))

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

i. Local Compliance Assurances (20 U.S.C. § 1412 (a)(11))

It shall be the policy of this LEA that the Local Plan shall be adopted by the appropriate local board(s) (district/county) and is the basis for the operation and administration of special education programs; and that the agency(ies) herein represented will meet all applicable requirements of state and federal laws and regulations, including compliance with the IDEA,

the Federal Rehabilitation Act of 1973, Section 504 of Public Law, and the provisions of the California *Education Code*, Part 30.

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

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

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

It shall be the policy of this LEA to support and comply with the provisions of the governance bodies and any necessary administrative support to implement the Local Plan. A final determination that an LEA is not eligible for assistance under this part will not be made without first affording that LEA with reasonable notice and an opportunity for a hearing through the State Educational Agency.

14. Personnel Qualifications (20 U.S.C. § 1412 (a)(14))

It shall be the policy of this LEA to ensure that personnel providing special education related services meet the highly qualified requirements as defined under federal law, including that those personnel have the content knowledge and skills to serve children with disabilities. This policy shall not be construed to create a right of action on behalf of an individual student for the failure of a particular LEA staff person to be highly qualified or to prevent a parent from filing a State complaint with the California Department of Education (CDE) about staff qualifications.

15. Performance Goals and Indicators (20 U.S.C. § 1412 (a)(15))

It shall be the policy of this LEA to comply with the requirements of the performance goals and indicators developed by the CDE and provide data as required by the CDE.

16. Participation In Assessments (20 U.S.C. § 1412 (a)(16))

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

17. Supplementation of State, Local, and Federal Funds (20 U.S.C. § 1412 (a)(17))

It shall be the policy of this LEA to provide assurances that funds received from Part B of the IDEA will be expended in accordance with the applicable provisions of the IDEA; will be used to supplement and not to supplant state, local, and other federal funds.

18. Maintenance of Effort (20 U.S.C. § 1412 (a)(18))

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

19. Public Participation (20 U.S.C. § 1412 (a)(19))

It shall be the policy of this LEA that public hearings, adequate notice of the hearings, and an opportunity for comment available to the general public, including individuals with disabilities and parents of children with disabilities, are held prior to the adoption of any policies and/or regulations needed to comply with Part B of the IDEA.

20. Rule of Construction (20 U.S.C. § 1412 (a)(20))
(Federal requirement for state educational agency only)

21. State Advisory Panel (20 U.S.C. § 1412 (a)(21))
(Federal requirement for state educational agency only)

22. Suspension/Expulsion (20 U.S.C. § 1412 (a)(22))

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

23. Access to Instructional Materials (20 U.S.C. § 1412 (a)(23))

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

24. Overidentification and Disproportionality (20 U.S.C. § 1412 (a)(24))

It shall be the policy of this LEA to prevent the inappropriate over identification or disproportionate representation by race and ethnicity of students as students with disabilities.

25. Prohibition on Mandatory Medicine (20 U.S.C. § 1412 (a)(25))

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

26. Distribution of Funds (20 U.S.C. § 1411(e) and (f)(1–3))

(Federal requirement for state educational agency only)

27. Data (20 U.S.C. § 1418 (a–d))

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

28. Charter Schools (California *Education Code* 56207.5 (a–c))

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



In accordance with federal and state laws and regulations, Orange SELPA certifies that this plan has been adopted by the Orange Unified School District Board of Education and is the basis for the operation and administration of special education programs, and that the agency herein represented will meet all applicable requirements of state and federal laws, regulations, and state policies and procedures, including compliance with the Individuals with Disabilities Education Act, 20 U.S.C. 1400 et. seq., and implementing regulations under 34 *CFR*, Parts 300 and 303, 29 USC 794, 705 (20), 794- 794b, the Federal Rehabilitation Act of 1973, as amended, and the provisions of the California Education Code, Part 30 and Chapter 3, Division 1 of Title V of the California Code of Regulations.

Be it further resolved, the LEA superintendent shall administer the local implementation of procedures, in accordance with state and federal laws, rules, and regulations, which will ensure full compliance.

Furthermore, the LEA superintendent ensures that policies and procedures covered by this assurance statement are on file at the Local Education Agency and the SELPA office.

Adopted this 15th day of October, 2015.

Yeas: _____

Nays: _____

Signed: _____

Michael Christensen
Superintendent
Secretary to the Board of Education

PURPOSE

The Orange Unified School District Board of Education and Superintendent hereby form a single district Special Education Local Plan Area (SELPA) as authorized hereby and described in Education Code 56195.1(c) for the purpose of providing coordinated programs and services to students with disabilities residing within district boundaries.

GOVERNANCE STRUCTURE

Because the Orange Unified School District SELPA is a single district Special Education Local Plan Area, the District governing board is the sole policy making entity for the SELPA. Approval of the Local Plan for Special Education, adoption of the budget and District policies and employment of SELPA personnel occur at regularly scheduled, public meetings of the governing board. The oversight and operations of the Orange SELPA will be shared by administrators of the District. The SELPA Director gives regular reports to the District governing board relating to the operation of the SELPA. The SELPA shall include all school sites located within the District, and will serve all eligible individuals with exceptional needs residing within the District, or attending its programs under some other authorization.

The Orange SELPA 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.

The Orange SELPA is designated as its own Administrative Unit (AU) for the SELPA. It shall be responsible for administrative functions such as, but not limited to:

- Receipt and distribution of special education funds to District accounts for the operation of special education programs and services;
- Receipt and distribution of special education funds to accounts exclusively designed for SELPA use;
- The employment of necessary staff to support SELPA functions.

The Orange SELPA has more than 28,000 pupils. The District offers the full continuum of special education programs and services. 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.

RESPONSIBILITIES OF BOARD OF EDUCATION

The Board of Education is responsible for the provision of special education services and programs within the SELPA.

The members of the Board of Education are elected officials of the Orange Unified School District and shall:

- Approve amendments to the local plan
- Take action to approve or deny District/SELPA policies, administrative regulations, procedures, resolutions, local interagency agreements and guidelines for the management and implementation of special education programs and services within the SELPA
- Grant final approval of the annual budget and service plans
- Participate in the governance of the District/ SELPA through its designated representative, the Director of Special Education
- Appoint members of the Community Advisory Committee (CAC)
- Ensure compliance with all elements of the Local Plan
- Consider input from CAC and community regarding this plan

RESPONSIBILITIES OF THE LOCAL AGENCY

The responsibilities of the Orange SELPA as the Responsible Local Agency shall include but are not limited to:

- Employment of all SELPA staff and using District adopted employment and evaluation procedures.
- Receipt and allocation of regionalized services, funds, and the provision of administrative support.
- Employment and evaluation of the SELPA Staff. It shall be the responsibility of the Superintendent to evaluate the SELPA Director(s) or persons designated to serve that role.
- Approval of annual service and budget plans. Upon recommendations of the Superintendent, the local governing board of Orange SELPA is responsible for approving the annual service and budget plans. The development of the annual service and budget plans shall coincide with the Local Agency budget process.
- Implementation of policies and procedure for special education programs and services provided in the Orange Unified School District Special Education Local Plan Area, according to the Local Plan and local governing board's direction. Such policies and procedures shall include, but not be limited to, all areas specified in applicable sections of the Education Code

RESPONSIBILITIES OF THE SUPERINTENDENT

The Superintendent has the executive responsibility for the implementation and operation of this Local Plan for Special Education and is directly responsible to the elected officials of the Orange Unified School District Board of Education. The Deputy Superintendent of Educational Services shall serve as the Superintendent's Designee and as such shall fulfill all executive responsibilities.

The responsibilities of the Superintendent/Designee of the Orange SELPA shall be to:

- Act as the chief administrative officer of the school district and in this capacity, is responsible to develop and administer procedures that implement the Board's policies.
- Review proposed policies
- Review planning documents and annual reports related to present and future services and programs of the Local Plan
- Review the efficacy of resource allocations such as personnel, facilities, and equipment
- Delegate the responsibilities to the Deputy Superintendent of Educational Services and the Director of Special Education
- Coordinate with other Departments through Executive Cabinet meetings with all other Directors of Programs, Deputy Superintendents and the Superintendent

RESPONSIBILITIES OF THE DIRECTOR (S) OF SPECIAL EDUCATION

The Director(s) of Special Education is directly responsible for the daily operation of the District's special education programs and services. The Director(s) report directly to, and are evaluated by the Deputy Superintendent of Educational Services.

The responsibilities of the Director (s) of Special Education of the Orange SELPA shall be to:

- Recruit, train and provide guidance for specialized staff operating programs and implementing IEP's
- Develop/maintain a staffing plan within the budget framework
- Provide instructional leadership in the development of quality programs and services that align with the District's strategic plan and students' IEP's
- Provide technical assistance to school site administrators on IEP development and implementation, compliance and due process issues
- Provide directions, supervision, and evaluation to program specialists and support staff directly assigned to the special education office
- Assist in the informal resolution of complaints and due process issues

RESPONSIBILITIES OF THE SELPA DIRECTOR (S)

The SELPA Director (s) assumes overall management and responsibility of the Local Plan and reports to the Board of Education. The SELPA Director(s) may simultaneously serve as the Director of the Special Education Department.

The responsibilities of the SELPA Director of the Orange SELPA shall be to:

- Develop the annual budget and service plan
- Allocate resources, monitor the use of state, federal and local funds for special education programs
- Develop policies, procedures and guidelines for the implementation of state and federal statute special education requirements
- Coordinate the development and implementation of the special education program and student outcomes, and the annual accountability procedures.
- Serve as liaison to the Community Advisory Committee or delegate to Administrator
- Monitor compliance with state and federal laws
- Prepare and submit any and all State waiver requests that are needed to allow for the provision of appropriate programs and services to students with disabilities within the SELPA
- Prepare and submit all program and fiscal reports for the SELPA and manage CASEMIS data system to comply with all state requirements
- Ensure the provision of services to students with disabilities in charter schools and other alternative programs
- Assume oversight for the implementation, revisions of all Interagency Agreements, and memorandums of Understanding operated by the District

COMMUNITY ADVISORY COMMITTEE (CAC) (EC 56205(a)(12)(c)):

POLICY

The Community Advisory Committee (CAC) for the Orange SELPA has been established. The CAC shall be composed of parents of individuals with exceptional needs enrolled in public or private schools, parents of other students enrolled in schools, students and adults with disabilities, general and special education teachers, other school personnel, representatives of public and private agencies and persons concerned with the needs of individuals with exceptional needs. The majority of the committee is composed of parents of students enrolled in the schools within the Local Plan Area (including charter schools) and at least a majority of such parents shall be parents of students with exceptional needs.

The CAC shall have regularly scheduled meetings not less than two times per year. All meetings

of the committee shall be held according to law and the Brown Act. The SELPA Director/Designee will present the CAC's input to the Superintendent or designee for consideration.

Announcements of CAC meetings and activities will be distributed to parents of children with special needs in the SELPA. In addition, information will be posted on the District/SELPA web page and in any other location required by law.

The CAC shall adopt bylaws, subject to approval by the Superintendent, consistent with legal requirements and the advisory role of the CAC.

The Responsibilities of the Community Advisory Committee include:

1. Advise in the development, amendment, and review of the Local Plan
2. Assist in parent and public education and in recruiting parents who may contribute to the implementation of the Local Plan
3. Act in a supporting role to individuals and parents of individuals with exceptional needs
4. Assist in recruiting volunteers who may contribute to parent activities and training
5. Assist in the development of parent awareness of the importance of regular school attendance
6. Support activities on behalf of children with disabilities

Procedures for Appointment of Members of the Community Advisory Committee

1. Terms of appointment are for at least two years and are annually staggered to ensure that no more than half of the membership serves the first year of the term in any one-year.
2. The CAC shall nominate and recommend new members for appointment to the Superintendent and/or Designee who will submit a final list for approval to the Board of Education.
3. The committee solicits nominations to ensure balanced composition from a variety of grade levels and disability areas.
4. The executive committee of the CAC (chair, co-chair and District liaison) screen candidates for suitability and willingness to serve.
5. A slate of officers/members is submitted to the CAC for ratification,
6. The District liaison submits the ratified list of officers/members to the Superintendent who will submit the list for approval by the Board of Education at a regularly scheduled meeting before the beginning of the next school year.

CAC procedures are outlined in the Community Advisory Committee Bylaws for the Orange SELPA.

REGIONALIZED SERVICES

The Orange Unified School District SELPA receives funding from the State for the Local Plan Area. The District coordinates and provides services within the District using these resources, local contributions, and federal funds allocated for Special Education. Students eligible for special education services provided within the region are defined as those students physically residing within the geographic boundaries of the District, students who are granted interdistrict transfers, and students attending charter schools sponsored by the District. The concept of regional services is to provide a continuum of options necessary to ensure appropriate special education services to students with disabilities are available. The District will coordinate with the Orange County Office of Education for those students who require regionalized services offered outside the District, or to provide other necessary and appropriate services not available in the District.

“Regionalized services” does not mean that every service and placement required for students with disabilities must be available at each site. The concept of regionalized service is to ensure that, even for those services that are less frequently needed, the services will be available within the District or region at District expense. It further means that the District is responsible to provide those services required by a child’s Individual Education Program (IEP).

The District has elected to provide some special education services in regionalized settings, for example, for students with autism or other severe disabilities requiring more intensive or low incidence services. Regionalized services are those services only provided at selected sites within the District. Transportation is provided for any such student to receive those services who is not on an interdistrict transfer at the parent request, or attending a charter school.

DISTRIBUTION OF FEDERAL AND STATE FUNDS

All federal and state special education funds shall be allocated to the SELPA and used pursuant to the annual budget and service plan. Any changes to the allocation of federal and state special education funds shall be made by the Orange SELPA.

RESPONSIBILITIES FOR DISTRIBUTION OF FEDERAL AND STATE FUNDS

The Orange SELPA shall be responsible for the distribution of the funds according to an approved Special Education Budget Plan. The Deputy Superintendent of Educational Services is responsible for ensuring that the funds are distributed in accordance with the Budget Plan and used to promote FAPE or coordinated early intervention services. The Annual Budget Plan shall be reviewed and approved by the Orange Unified School District Board of Education.

MONITORING THE USE OF SPECIAL EDUCATION FUNDS

The Deputy Superintendent of Educational Services is responsible for monitoring on an annual basis the appropriate use of all 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 process.

Funds allocated for special education programs shall be used for services and placement for students with disabilities, in order to provide them with a FAPE. Federal funds under Part B of IDEA may be used for the following activities:

1. 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 nondisabled children benefit from these services.
2. To develop and implement a fully integrated and coordinated services system.

PREPARATION OF PROGRAM AND FISCAL REPORTS

The Special Education Department in coordination with the Business Office, shall be responsible for preparing all program and fiscal reports required of the SELPA by the California Department of Education.

ANNUAL BUDGET PLAN

POLICY

The Orange SELPA shall adopt an Annual Budget Plan at a public hearing for which written notice has been provided to members of the staff, parents and general public by posting said notice at each school located within the local plan area at least 15 days prior to the hearing.

PROCEDURE

The Annual Budget Plan shall describe the distribution of funds for the purpose of providing for SELPA administrative costs; special education services to students with disabilities; support of students with disabilities in general education classrooms and environments; regionalized operations and services; and the provision of services to all students with disabilities residing within the local plan area between the ages of birth and twenty-one, inclusive.

The Orange Unified School District Board of Education agrees to review and approve the SELPA-wide annual service and budget plans and any subsequent modifications.

LOCAL PLAN DEVELOPMENT

POLICY

The description of the governance and administration of the Local Plan and the policymaking process shall be consistent with subdivision (f) of Section 56001, subdivision (a) of Section 56195.3 and Section 56195.9, and shall reflect a schedule of regular consultations regarding policy and budget development with representatives of special education and regular education teachers and administrators selected by the groups they represent and parent members of the Community Advisory Committee.

PROCEDURE

The Local Plan shall be developed and updated cooperatively by a committee of representatives of special and general education teachers and administrators, and representatives of charter schools selected by the groups they represent, with participation by parent members of the community advisory committee.

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 ORANGE SELPA Board of Education.

The Orange Unified Board of Education may adopt amendments to the permanent portion of the Local Plan on an “interim” basis not to exceed one calendar year. The policy would become permanent subsequent to approval by the State Board of Education. Otherwise, local plans need to be amended only when there is a change in federal or state law or regulation, there is a new interpretation by the court, or there is an official finding of noncompliance with federal or state law. Amendments approved in this manner shall become permanent upon subsequent approval by the ORANGE SELPA Board of Education and the State Board of Education.

ANNUAL SERVICE DELIVERY PLAN

In accordance with EC 56205 (b)(2), an annual service plan shall be adopted at a public hearing held by the Orange SELPA. Notice of this hearing shall be posted at the District Office Special Education Department at least 15 days prior to the hearing. The annual service plan

shall include a description of services to be provided by Orange SELPA, including the nature of the services and the physical location at which the services will be provided.

LOW INCIDENCE EQUIPMENT AND SERVICES

Low Incidence funds provided by the state allow for the purchase of specialized books, materials, and equipment, necessary to access the instruction and education setting. Low Incidence Disabilities are defined as deaf/hard of hearing, blind/visually impaired, orthopedic impairment and/or multiply handicapped. The District Low Incidence Committee is responsible for ensuring that all eligibility requirements are met prior to approving any expenditure of these funds. These guidelines are in keeping with the legal requirements specified in California Education Code [EC 56136; EC 56320(g); EC56345(a)(7)] Department of Education Code Guidelines for each low incidence disability (EC 56136); and procedures provided in the annual Low Incidence Funding Update (Director, Special Education Division, CDE)].

In addition, the District will adhere to State mandates and guidelines regarding the appropriate use of these funds and monitor how these funds are allocated and prioritized within the District. Low Incidence funds are one source of funding. Since it is possible that there may not be sufficient funds for all eligible requests, it may be necessary to establish priorities to facilitate the decision-making process under this circumstance, to ensure proper low incidence services and placement.

GUIDELINES

Least Restrictive Environment: The District, through the Local Plan, has provided assurance to the State that specialized equipment and services are distributed within the District in a manner that minimizes the necessity to service pupils in isolated sites and maximizes the opportunities to serve pupils in the least restrictive environment.

Appropriate, Cost Effective Technology: The Committee will only purchase technology that the student has been projected to be able to use, either through a borrowed or rented device, or the projection of an expert in the low incidence disability.

Supplement, Not Supplant: The Low Incidence fund is designed to support the District in its effort to ensure appropriate specialized items are available for an eligible student. These funds cannot be used to supplant (replace) funding for books, materials, equipment and services provided to students through the base educational program, or to furnish classrooms. In addition, this fund cannot be considered the only resource to make necessary items available to students with low incidence disabilities.

Examples of other avenues of funding to be considered include:

- Site/classroom budgets
- Textbook funds
- Instructional materials funds
- Lottery Funds
- General fund
- American Printing House for Federal Quota materials for the blind
- Community service organizations

PUBLIC PARTICIPATION

POLICY

It shall be the policy of the Orange SELPA to resolve issues at the site level as promptly as possible. Members of the public, including parents or guardians of students with disabilities receiving services under the Orange SELPA, may address questions or concerns first to the school site staff and administration, next to district-level administration, and finally to the Board of Education.

PROCEDURES

Members of the public, including parents or guardians of students with disabilities who are receiving services under the Local Plan, may address questions or concerns at regularly scheduled meetings according to Brown Act requirements to receive and take action on information or business related to special education and the administration of the Orange SELPA.

CHARTER SCHOOLS

POLICY

This policy applies to all charter schools that are chartered by the Orange SELPA. This policy also applies to any charter school petition granted by the State Board of Education in which oversight responsibilities have been assigned to the Orange Unified School District per EC 4605.5(k)(1). The charter schools will comply with all requirements of State and Federal law regarding provisions of special education services. Children with disabilities attending charter schools retain all rights under the IDEA and implementing state law when enrolling in a charter school.

Special education and related services shall be provided to all eligible students in the jurisdiction of Orange SELPA in accordance with this local plan, policies, and procedures. Students enrolled in charter schools chartered by Orange SELPA or operating within the SELPA's jurisdiction shall receive services in a manner similar to students enrolled in other schools within the District. Funding for special education services and responsibility for provision of services shall be based on the status of the individual charter school and any local agreements and accompanying administrative regulations.

No student will be denied enrollment in a charter school due to a disability or charter school's inability to provide certain placement and or services called for on the student's IEP.

PROCEDURES

Prior to approval of a new charter school, or renewal of an existing charter school, the Assistant Superintendent of Human Resources shall consult with the Governing Board of the District, or designee, to ensure that the charter school responds to District guidelines and timelines as they relate to special education. The Assistant Superintendent of Human Resources shall review all proposed charter petitions, including petitions for renewal, and advise the Governing Board on whether the petitions contain reasonable assurances that all eligible students enrolled in the Charter school will receive appropriate special education services.

The charter school may be held fiscally responsible for a proportional 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.

For the purpose of providing special education services, charter schools shall be deemed public schools within the District. Whereas the District is a single-district SELPA, and its own RLA, LEA, and AU, and intends on continuing as a single-district SELPA, no charter school under the authority of the Governing Board will be admitted to the SELPA as an LEA, just as no other districts will be admitted to the Orange SELPA. The District shall not be required to become a multi- district SELPA.

If a charter school wishes to be an LEA for special education purposes, they must apply to a district in a multi-district SELPA for authorization of their charter.

LITERACY

In order to improve the educational results of students with disabilities, all students who require special education services. Special education instructional personnel participate in staff development and in-service opportunities in the area of literacy, including:

- Current information about literacy and learning research that aligns with State-adopted/Common Core standards and frameworks; and
- Research-based instructional strategies for teaching reading to a wide range of diverse learners in order to increase the percentage of children with disabilities who are literate.

The goals of the Educational Services Department relative to literacy are:

- To increase the effective literacy level of all students
- To help our students learn to love to read
- To increase the participation of students with disabilities in statewide assessments, with or without the use of accommodations based upon IEP decisions
- To increase the percentage of our students who are literate
- To assure that students with disabilities attain the highest possible standards in reading

To facilitate these goals, students with disabilities will have access to all required core curriculum, including state-adopted core curriculum textbooks and supplementary textbooks, as well as any other support required to assist students in becoming proficient readers.

Special education students receive instruction in the state academic standard environment, which promotes maximum interaction with typically developing peers. Student Support Services staff coordinate instruction and curriculum with general education specialists. Performance for all students, including those with IEPs, is measured throughout the school year. Special education teachers receive in-service training with general education staff on curriculum frameworks, state academic standards, and student assessment.

FREE APPROPRIATE PUBLIC EDUCATION (FAPE)

POLICY

It shall be the policy of the Orange SELPA that a free appropriate public education is available to all children residing in the LEA between the ages of birth and 21 inclusive, including children with disabilities who have been suspended or expelled from school. Appropriate education is that combination of educational and related service(s) as determined on an Individualized Education Program (IEP) that meets the unique needs of each individual in order to benefit from his/her education.

PROCEDURES

In order to ensure that a free, appropriate public education is available to all children with disabilities in the Orange SELPA, it shall provide that combination of educational placement and related services determined through each child's Individualized Education Program (IEP) development and review, that meets the unique needs of the individual in such a way as to benefit from his/her education, and to prepare them for employment and independent living. FAPE is defined as special education and related services provided at public expense, under public supervision and direction; that meet the standards of the State of California and of federal law. This includes preschool, elementary school, and secondary school education; and is provided in conformity with each student's IEP.

FAPE shall be reasonably calculated to confer educational benefit to the student. It shall be the responsibility of the District to monitor such benefit for each child with a disability, through both individual review and agency-wide process reviews. Evidence may include but is not limited to passing grades, advancement from grade to grade/academic progress, provision of services designed for the student to benefit from instruction, and meaningful progress.

To determine whether an IEP is reasonably calculated to provide meaningful benefit, the District should ask:

1. Is the student's IEP individualized to meet the unique needs of the child?
2. Has the student been educated in the least restrictive environment (LRE)?
3. Has the student's educational services been provided in a collaborative and coordinated manner?
4. Has the student demonstrated academic and non-academic progress?

The Orange SELPA shall ensure that a student-focused and compliant process to develop IEPs for each child with a disability will be followed based on state and federal law .

The SELPA shall support all district sites in their implementation through professional development opportunities, technical assistance, support and monitoring.

20 USC Section 1412, CFR 300.24, 300.300 (a) (3), 300.340-300.351 of Part Regulations
56205 (a), 5 CCR Chapter 3, Article 1, Section 3001 (b)

FULL EDUCATIONAL OPPORTUNITY

POLICY

The Orange SELPA ensures that a continuum of program options is available to meet the need of students with disabilities. The IEP team's determination of appropriate program placement, related services needed, and curriculum options to be offered is based upon the unique needs of the disabled pupil rather than the label describing the disabling condition or the availability of the program.

It shall be the policy of the Orange SELPA that all pupils with disabilities have access to the variety of educational programs and services available to non-disabled pupils including nonacademic and extra-curricular services and activities.

PROCEDURES

A full range of program options is provided by Orange SELPA. The appropriate placement for a student is determined by the IEP team based on the student's unique needs and not on the student's disability category.

Options include:

- **General Education Classroom:** Students are educated in age appropriate general education classrooms at their neighborhood schools with the necessary accommodations, supports, and services to ensure success and progress toward IEP goals and objectives.
- **Related Services:** Available to students if a supportive service is required for the student to benefit from special education. Certificated specialists provide these services and may work with students individually or in small groups either in the general education classroom and/or other appropriate settings. In some instances these services are provided by certified nonpublic agencies/providers. Related Services include but are not limited to the following:
 - ❖ Language and Speech
 - ❖ Adapted Physical Education
 - ❖ Health and Nursing
 - ❖ Assistive Technology Services
 - ❖ Occupational Therapy
 - ❖ Physical Therapy
 - ❖ Individual Counseling
 - ❖ Group Counseling
 - ❖ Parent Counseling
 - ❖ Social Work Services

- ❖ Psychological Services
- ❖ Behavioral Intervention Services
- ❖ Residential Treatment Services
- ❖ Specialized Services for Low Incidence Disabilities
- ❖ Specialized Deaf and Hard of Hearing Services
- ❖ Interpreter Services
- ❖ Audiological Services
- ❖ Specialized Vision Services
- ❖ Orientation and Mobility
- ❖ Braille Transcription
- ❖ Transportation

Related Service Options for Transition include but are not limited to the following:

- ❖ College Awareness/Preparation
- ❖ Vocational Assessment, Counseling, Guidance and Career Assessment
- ❖ Work Experience Education
- ❖ Job Coaching
- ❖ Mentoring
- ❖ Agency Linkages (Referral)
- ❖ Travel Training

The services listed above may be provided by:

- ❖ Orange SELPA
- ❖ County Office of Education
- ❖ Another LEA/District/SELPA
- ❖ WorkAbility
- ❖ Transition Partnership Program
- ❖ Regional Center
- ❖ Alcohol and Drug Prevention Programs
- ❖ Child Development Funded Program
- ❖ Head Start
- ❖ County Mental Health Agencies
- ❖ California Children's Services
- ❖ Department of Social Services
- ❖ Department of Rehabilitation
- ❖ Non-Public Agency (NPA) under contract with ORANGE SELPA
- ❖ Non-Public School (NPS) under contract with ORANGE SELPA
- ❖ State Special Schools under contract

- **Resource Specialist Programs (RSP):** Support Services are available at every school site for grades K-12. This program is designed to supplement the general education program to meet the needs of students who require specialized instruction in specific areas.

Services will occur in either individual or small group settings as well as collaborative services within the general education settings.

- **Special Day Class (SDC):** Programs are designed to provide intensive services beyond RSP, for students who require more of their instruction in a heterogeneous special education program and/or modified curriculum. This placement occurs only after the IEP team determines that the nature and severity of the student's needs are such that education in general education classes with the use of supplementary aids and services or placement in the Resource Specialist Program or Integrated School Based Services cannot be achieved satisfactorily. SDC classes are available at various sites within the ORANGE SELPA and are integrated on regular school campuses. Students are placed in programs as close to their home school as possible.
- ❖ Special Day Class/Mild-Moderate Handicapped (SDC/M/M) is a program which is academically based. Mainstreaming in nonacademic areas and into more academic areas is the long-term goal for students in this program. This placement is designed for students with severe delays in language development, students with a learning disability, or students with educational delays or other disabilities that significantly impede the learning process.
- ❖ Special Day Class/Severely Handicapped (SDC/SH) is a program which focuses on student needs in six major domains: Functional Academics, Daily Living, Vocational, Community, Domestic and Recreation/Leisure. Mainstreaming and inclusion opportunities are individualized in each student's IEP. The overall goal is to increase the student's independence. This placement is designed for students with severe delays in language development, students with a severe learning disability, or students with educational delays or other disabilities that significantly impede the learning process.
- ❖ Special Day Class/Emotionally Disturbed program is available for students whose emotional disabilities significantly interfere with educational progress. Intensive positive behavior interventions are utilized in a supportive environment to assist students in developing more appropriate behaviors to transition to a less restrictive setting. These programs are located at select sites around the District.
- ❖ Transition Program/Special Day Class /Critical Skills is offered from age 18 through age 22 to students who earn a Certificate of Completion rather than a high school diploma. Community-based instruction is maximized as well as linking the student and family with the necessary support agencies required when the student exits the program.
- ❖ Specialized Services are provided for students with low incidence disabilities, including Deaf/Hard of Hearing, Visual Impairment, and Orthopedic Impairment. Services may

be provided on an itinerant basis or in a special class setting, depending on the unique needs of the individual student.

- **Nonpublic, Nonsectarian School Services** are available for students whose unique needs cannot be met in the programs and services operated by the District due to severe behavior, social/emotional, and/or academic needs. Nonpublic school placements are considered after all programs within the District have been considered and exhausted. Every effort will be made to ensure that nonpublic school students are educated in the least restrictive environment and return to the public school setting is a focused goal.
- **State Special Schools** such as the California School for the Deaf and California School for the Blind are available to students when appropriate based on the students' unique needs and as recommended by the student's IEP team.
- **Extended School Year** services are added to the IEP when the IEP team determines that the student's unique needs require special education and related services in excess of the regular academic year, in order for an individual student to avoid regression beyond what can be recouped within a reasonable period of time at the beginning of the following school year.
- Instruction in settings other than classrooms where specifically designed instruction may occur such as day treatment or residential settings.
- Instruction in home, in hospitals and in other institutions to the extent required by federal law or regulation.

CHILD FIND

POLICY

It shall be the policy of the ORANGE SELPA that all children with disabilities, including children with disabilities attending private schools, regardless of the severity of their disability, and who are in need of special education and related services are identified, located and evaluated.

The District recognizes the need to actively seek out and evaluate residents from birth to age 22 within the District who have disabilities in order to provide them with appropriate educational opportunities in accordance with state and federal law.

The Special Education Department shall develop a method to ensure that all children residing within the District are currently receiving needed special education and related services. In addition, the Special Education Department shall consult with appropriate

representatives of private school children with disabilities on how to identify, locate and evaluate these children. (20USC 1412(a)(3); 34 CFR 300.451)

The Special Education Department shall establish a means whereby parents/guardians, teachers, appropriate professionals and others may request screening for any child they believe to have a disability that significantly interferes with his/her learning. The Special Education Department shall identify processes to determine when an individual's academic, behavioral or other difficulties may be related to disabilities and shall establish systematic procedures for special education program identification, referral, assessment, planning, implementation, review and triennial assessment.

The Special Education Department shall notify parents/guardians in writing of their rights related to identification, referral, assessment, instructional planning, implementation and review, including the District's procedures for initiating a referral for assessment to identify individuals who need special education services. (EC 56301)

PROCEDURES

The Orange SELPA actively seeks out children, ages 0 through 22 years, who may be in need of special education services. Announcement of special education opportunities, such as special flyers, bulletins and newsletters, are sent home to parents of enrolled students and community service providers. Public notices are provided in English and Spanish and other primary languages of families in the community as appropriate. Parents and service providers are also encouraged to inform their friends and neighbors of the availability of evaluations and special education services.

In addition to the public notice in local newspapers, a notice regarding the process for referring children with suspected disabilities for evaluation is sent to each private school within the geographic boundaries of the District annually. The private schools are encouraged to send this notice to parents of children enrolled in their schools. Parents and/or private school representatives refer children for special education evaluation through their local schools as appropriate.

In conjunction with Regional Center of Orange County (RCOC), infant education services are well known in the community and Child Find procedures have been developed through active networking with agencies representing education, health (hospitals, public health services, physicians), developmental services, social services, and parent groups.

School-age students are screened upon request from parents, staff or District personnel through the Student Success Team (SST) process. Vision and hearing screening activities are completed on all students within the District in accordance with state guidelines. District and state-wide testing programs may provide information to assist with the school Child Find process. Intervention procedures are also implemented for students not enrolled in public school programs residing within the District, including infants, preschoolers, and private

school attendees. This process assures that students who may be in need of special education have been located and identified.

Administrators at the district office and school sites are knowledgeable about services available in the public school system. Site administrators are regularly informed of changes in procedures related to special education.

IDENTIFICATION AND REFERRAL PROCEDURES

Referral for evaluations may be initiated by a parent/guardian, teacher, administrator, support personnel, outside agency, or individual who has knowledge that a student may need special education services. Referrals will be processed in a systematic manner, held in strict confidence, and include the written Notice of Procedural Safeguards for parents. If parents believe their child has a disability which requires special education services, they may submit a written request for evaluation. When a verbal referral is made, staff of the school, Orange SELPA, or county office shall offer assistance to the individual in making a request in writing, and provide assistance if requested. Interpreters are provided to assist parents in the SST process to discuss their concerns, possible interventions, and areas of suspected disability to be considered in developing an evaluation plan.

Families of children under age three with identified or suspected disabilities are referred to RCOC.

Initial referrals for preschool children are processed through the Preschool Intake Team. Staff obtain information from the child's parent/guardian and, when appropriate, preschool staff. The team meeting provides the opportunity to discuss the child's growth and development relative to expectations, intervention strategies, and the child's potential need for evaluations to determine eligibility for special education. The process for referring school age students (ages 5 to 18 years old) for special education services begins at the neighborhood school and/or District. An individual with a concern about a student's progress may request consultation with the SST. Forms to request SST consultation are available from site staff. The SST is a regular education function and may be composed of the principal or designee, general education staff member, the student's teacher and other staff. The team may also include special education staff such as the speech and hearing specialist, resource specialist, and/or psychologist. The SST Chair sends notification of SST meetings to the appropriate participants, including parents, and facilitates the meeting. If the SST finds that the student's needs cannot be appropriately met with modification of the general program, a referral for special education evaluation is considered. At the time of referral, parents are given a copy of the Notice of Procedural Safeguards. A copy of the Parent Handbook is also provided as appropriate.

Referral procedures are coordinated with other school site programs to ensure that students in all regular and supplemental programs have access to needed special education services.

Referrals from private schools, private preschools, and other agencies are processed in the same manner as referrals from the public schools. School personnel assist in the preparation of referral forms and provide orientation to persons making referrals.

A completed referral form includes information regarding the reasons for the referral, the results of modifications of the student's general school program, estimates of academic performance, indication of health status and a checklist of student behaviors, which provide the basis for the referral. The data reported at the time of referral by the person(s) making the referral indicate the suspected areas of disability to be considered by the assessment team and is considered in developing the evaluation plan. Referrals are processed for all potential special education students in accordance with state- mandated procedures and timelines.

PROCEDURES FOR UTILIZATION OF GENERAL EDUCATION

The SST process is a function of general education, which facilitates implementation of modifications of the general education program before referring students for a special education evaluation. The SST may recommend additional teaching and/or behavioral intervention strategies, utilize other on site resources, provide appropriate services, follow District procedures for Section 504 of the Rehabilitation Act of 1973 and/or make other recommendations. The SST must consider if the student's needs can be met with modification(s) to the general education instructional program. A student may be referred for special education instruction and services only after the resources of the general education program have been considered and utilized as appropriate. However, the SST process does not supersede the requirements set forth in California Education Code Section 56043(a).

Following a referral, a proposed evaluation plan is shared with parents and evaluations are conducted only after the parent has signed the consent for evaluation form.

20 USC Section 1412 (a) (3) (A-B), 34 CFR Sections 300.125 56205 (a)

INDIVIDUALIZED EDUCATIONAL PROGRAM (IEP)

POLICY

It shall be the policy of the Orange SELPA that an Individualized Educational Program (IEP) or an Individualized Family Service Plan (IFSP) is developed, reviewed and revised for each child with a disability who requires special education and related services in order to benefit from his/her individualized education program.

The Orange SELPA provides a free appropriate public education (FAPE) in the least restrictive environment (LRE) to all students residing within the SELPA. The SELPA provides a full range of special education programs to facilitate services for students with disabilities in a supportive, cooperative, and mutually respectful environment. The appropriate special education placement in the LRE for each child with a disability is determined by an IEP team. The IEP team is comprised of the child's parents, school staff, and other professionals with knowledge or expertise regarding the child.

The IEP team shall consider the educational and nonacademic benefits of placing the student in a regular class and shall determine what support services would be needed in order to support this placement. All placement decisions should promote maximum interaction between students with disabilities and their non-disabled peers, in a manner that is appropriate to the needs of both. Special education services shall be provided outside the regular classroom only when the IEP team determines that the student's individual needs cannot be appropriately met in the general education classroom.

Parents/guardians shall have the right to approve the student's placement in a special education program, and written parental consent shall be obtained before any such placement is made unless a due process hearing officer authorizes the placement over the objection of the parent/guardian. Once an IEP team has determined an appropriate placement with parent/guardian consent, that placement remains in effect unless modified through the IEP process, mutual agreement, or a due process hearing officer order.

PROCEDURES

The District will initiate and conduct meetings for the purpose of developing, reviewing, and/or revising the IEP of each student with a disability. The description of IEP development included in EC Sections 56340-7 and 34 CFR 300.340-350, are hereby included.

IEP TIMELINES

An IEP will be developed (a) within 30 days of an interim placement from outside the Orange SELPA, (b) within 60 days [not including days between sessions or terms, or vacation of more than five days in length] of the parent's/guardian's consent to the Assessment Plan, and (c) at least annually. Time lines for development of an IEP are as follows:

- a. An IEP required as a result of initial assessment shall be developed within 60 calendar days of receipt of the parent's signed consent for assessment [not counting days between school sessions or terms, or vacation days in excess of five consecutive days]. An IEP shall be developed within 30 days of the beginning of the subsequent school year for each student for whom a referral was made within 20 days of the end of the school year.

- b. A meeting of the IEP team shall be held within 30 days of a parent's written request, not counting days between school sessions or terms, or vacation days in excess of five consecutive days;
- c. The IEP meeting will always include a parent (or surrogate parent) unless the parent is unwilling/unable to attend and the district has maintained a record of attempts to include the parent at a mutually agreeable time and location;
- d. The district encourages meaningful participation of parents at IEP meetings by scheduling meetings at times convenient for parents within reason, providing interpreters for non-English speaking or deaf parents, encouraging parents to send a representative in their absence, conducting teleconferences when appropriate, etc.

Parents are notified in advance of a need for an IEP team meeting. Every attempt is made to schedule a student's IEP team meeting at a time that is mutually convenient for the parent/guardian and school staff. Staff will utilize a variety of communication modes, offer alternative meeting dates and locations, and/or suggest that the parent send a representative if he/she is unable to attend. Notification forms include the purpose, time, and location of the meeting and the staff who will attend.

- a. The parent(s) of the child;
- b. At least one regular education teacher of the child (if the child is, or may be, participating in the regular education environment);
- c. At least one special education teacher of the child, or if appropriate, at least one special education service provider of the child;
- d. A representative of the public agency who is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities and who is knowledgeable about the availability of resources in the public agency;
- e. An individual who can interpret the instructional implications of assessment results, who may be a member of the team described in a-d;
- f. At the discretion of the parent or the agency, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate;
- g. The child, if appropriate.

IDEA 2004 allows for amendments to the IEP, which may be made with a District Administrative representative and the parent, so long as all members of the IEP team are notified of any change(s).

As appropriate, representatives of other agencies are invited to participate in IEP meetings that are held to discuss transition services. In addition to written invitations and telephone calls, other efforts are made to encourage their participation. If an agency representative does not attend the IEP meeting where transition services are discussed, a district designee

will contact the agency representative if appropriate to coordinate transition services. The IEP team meets when the student has received an assessment for special education:

- a. The student's special education placement is to be initiated, changed or terminated;
- b. The student's progress is less than anticipated;
- c. A parent or teacher requests a meeting to develop, review, or revise the IEP;
- d. It has been one year since the previous IEP was developed. The purpose of the annual meeting is to review the student's progress, the appropriateness of the placement, and make any needed changes in the IEP.

To facilitate the meeting, districts may arrange for interpreters for parents who are hearing impaired or whose primary language is not English. The IEP form serves as a record of the persons attending, and the deliberation, planning, and decisions of the IEP team regarding the special education programs and services for each student. Prior IEP goals and objectives are reviewed to determine to what degree they were met. The discussion of present levels of performance may include the results of standardized achievement test scores, as well as classroom performance, observations, and parent and teacher reports. The IEP process enables the team to develop a completed IEP which shows a direct relationship between the present levels of performance, the goals and objectives, and identifies the specific services required to enable the child to advance appropriately toward attaining the annual goals, be involved and progress in the general curriculum, participate in extracurricular or other nonacademic activities, and to be educated and participate with non-disabled children to the maximum extent appropriate.

The IEP team refers to established eligibility standards as set forth in Title 5 CCR 3030 (a- j) as appropriate. Eligibility for special education is written on each IEP developed by the team.

At the IEP meeting, introductions are made, and the purpose and format of the meeting are described. Each required component of the IEP is discussed by the team and recorded on the form including, depending on the purpose of the meeting:

- a. The strengths, interests, and learning preferences of the student;
results of the initial or most recent assessment of the child and/or the results of the child's performance on any general State or district-wide assessment programs as appropriate;
- b. Annual goals related to meeting the child's needs to enable the child to be involved in and progress in the general curriculum [or appropriate activities for preschool children] or to meet each of the child's unique needs;
- c. The concerns of the parent relevant to the child's educational progress;
- d. A description of how the child's disability affects involvement and progress in the general curriculum, or for preschoolers, participation in appropriate activities;
- e. An explanation of the extent, if any, to which the child will not participate with non-disabled children in the regular class and extracurricular activities;

- f. A statement of the supplemental aids and services to be provided to or on behalf of the student;
- g. A statement of program modifications or supports for school personnel that are required for the child to advance appropriately toward attaining the annual goals specified in the IEP;
- h. A determination of the student's need for assistive technology devices and services or low incidence services, equipment, and materials to meet the educational goals and objectives;
- i. A statement of how the child's progress toward the annual goals will be measured and how the parents will be informed of their child's progress;
- j. If the child is Limited English Proficient, a description of how his or her level of English proficiency, related to the IEP, will be addressed;
- k. If the child is Deaf or Hard of Hearing, a description of specialized communication strategies, if needed, and opportunities for direct instruction and communication with peers and adults in the student's language and mode of communication;
- l. If the child's behavior impedes learning, a description of positive behavior interventions, strategies, and supports to address the behavior, including a Behavior Intervention Plan if required;
- m. By the time a student reaches the age of 16, a statement of needed transition services for the student, including, if appropriate, a statement of the interagency responsibilities or needed linkages;
- n. For students age 17 or older, verification that the student has been apprised of his or her rights at the age of majority;
- o. A statement of the special education and related services to be provided to the child, including the projected date for beginning the services and modifications, anticipated frequency, location, and duration of those services and modifications;
- p. Individual modifications in the administration of State or district-wide assessments of pupil achievement, or a statement of why that assessment is not appropriate for the child, designating the California Alternate Performance Assessment as the means to measure the student's progress;
- q. The determination of the need for Extended School Year, participation in WorkAbility, and specialized transportation services;
- r. A review of the Notification of Procedural Safeguards;
- s. Parental consent to all or part of the IEP.

A copy of the completed IEP is provided to the parent(s). Upon request, the IEP will be translated into the primary language of the parent. All staff who are responsible for implementing the IEP are informed of the content of the IEP. Service providers from other agencies who provide instruction or a related service will be provided a copy of the IEP. IEPs are maintained in accordance with state and federal pupil record confidentiality laws.

20 USC Section 1412 (a) (4), 1414(d), 1436(d), CFR 300.344 (c) (1) (ii), 300.345 (a) 56205(a), 56195.7(a), 56195.8(a)(3)

LEAST RESTRICTIVE ENVIRONMENT (LRE)

POLICY

It shall be the policy of the Orange SELPA 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 regular educational environment, occurs only when the nature or severity of the disability of the child is such that education in regular classes with the use of supplemental aids and services cannot be achieved satisfactorily.

HOUSING, DISBURSEMENT & ASSIGNMENT OF SPECIAL EDUCATION PROGRAMS

Special education programs, appropriate to students' needs, are housed on regular school campuses and dispersed throughout the SELPA, to ensure to the maximum extent possible that individuals with disabilities are served in their neighborhood schools, or in schools as close to their homes as possible. Students with special needs receive services in their neighborhood schools unless their IEPs document reasons that placement in alternative settings is appropriate. Inherent in any decision to relocate programs is sensitivity to the need to minimize frequent and disruptive moves.

The Director of Special Education considers and recommends program locations in the context of complementary pairings of special and regular education programs for the purpose of maximizing opportunities for appropriate interaction among students and access to age-appropriate activities for students with disabilities. The Orange SELPA administrative staff engages in ongoing deliberate planning that guides program location on a SELPA-wide basis in a manner that facilitates maximum integration for students.

PHYSICAL LOCATION OF PROGRAMS

The Orange SELPA shall ensure that the physical location of the special education programs is selected to facilitate continuing social interaction with non-disabled students. Program location decisions within the District and on a SELPA-wide basis are driven by a commitment to produce continuing social interaction among regular and special education students.

The promotion of positive social interaction between students with disabilities and non-disabled students will guide District/SELPA-wide decisions and actions in regard to the physical location of special education programs. To maximize social interaction with non-disabled peers, students with disabilities will be placed in facilities that provide access to all school extracurricular activities unless their IEPs document reasons that placements in alternative settings are appropriate.

EQUAL ACCESS TO GENERAL EDUCATION ACTIVITIES

The Orange SELPA shall ensure that individuals with disabilities shall have equal access to regular education activities, programs and facilities on the regular school site and participate in those activities as appropriate to their needs.

District IEP teams consider the regular class in the school that a student would attend if not disabled as the first placement option for the student. Further, IEP teams consider the unique educational needs of each disabled student in determining the possible range of aids and supports that are needed to facilitate the student's placement in the regular education environment. If a more restrictive placement in the continuum of placement options available to student is recommended for a student, IEP teams make the recommendation with the understanding that the placement must be one that maximizes opportunities for the student to interact with non-disabled peers to the extent appropriate to the needs of the students.

IEP STATEMENT OF SUPPLEMENTARY AIDS AND SERVICES

The Orange SELPA IEP form contains a statement of supplementary aids and services that the student with a disability needs to ensure his/her participation in the general education curriculum.

IEP STATEMENT REGARDING REMOVAL FROM GENERAL EDUCATION ENVIRONMENT

The Orange SELPA IEP form contains a statement verifying that children with disabilities are removed from the regular education environment only when the nature or severity of the disability is such that education in the general education environment, with the use of supplementary aids or services cannot be achieved satisfactorily.

COOPERATION OF ALL SCHOOL PERSONNEL

The Orange SELPA shall encourage the close cooperation of all school personnel to facilitate opportunities for social as well as academic interaction among individuals with disabilities and non-disabled individuals.

Orange SELPA administrative policies embody the provisions of IDEA that promote the close cooperation of all school personnel to facilitate opportunities for social as well as academic interaction between individuals with disabilities and non-disabled individuals. The policies express a compelling preference for serving students with disabilities in regular classes with appropriate aids and supports as a first preference. Dialogue concerning the implementation

of these policies takes place in prescribed and informal forums within the Orange SELPA. Dialogue takes place among all individuals who provide educational services to students.

MAXIMUM ACCESS TO GENERAL EDUCATION PROGRAMS

The Orange SELPA shall ensure that all students with disabilities are educated and participate with non-disabled peers in academic, nonacademic and extracurricular activities and that removal of students with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with use of supplementary aids and services cannot be achieved satisfactorily. The IEP shall include an explanation of the extent, if any, to which the child will not participate with non-disabled children in the regular class and in extracurricular and other nonacademic activities.

SUPPORT OF SCHOOL PERSONNEL

The Orange SELPA shall provide school personnel the necessary support to ensure student success. Based on, but not limited to a survey of District needs, research-based studies, changes in educational laws and regulations, and case law, in-service training will be provided to staff to assist them in meeting the social and educational needs of students with disabilities. School personnel will also receive support necessary to ensure success of students through exchanges of information on students during IEP meetings, during case reviews on students, during discussions with students' previous service providers and during discussions and conferences with parents.

UTILIZATION OF GENERAL EDUCATION RESOURCES

The Orange SELPA implements first best instructions for all in a 'Response to Instruction and Intervention' system. The Orange SELPA shall ensure that a pupil will be referred for special educational instruction and services only after the resources of the general education program have been considered and, where appropriate, utilized. Such resources may include, but not be limited to, Student Success Teams, early literacy programs, pre-referral meetings, and accommodations and modifications to the case program in addition to intervention programs.

DISTRIBUTION OF SPECIALIZED EQUIPMENT AND SERVICES

When a student's IEP team determines that the student requires specialized equipment and/or service, the equipment and and/or service shall be provided to the student at his or her classroom site unless the IEP provides documentation that the equipment and/or service

is to be provided by an alternative means, as determined by the student's unique needs. (See the SELPA's Low Incidence Policy & Procedures)

20 USC 1412 (a) (5) (A)

56205 (a), 56031, 56201, 56206, 56303, State Board Policy (10/10/1986)

PROCEDURAL SAFEGUARDS

POLICY

It shall be the policy of the Orange SELPA that children with disabilities and their parents shall be provided with safeguards throughout the identification, evaluation, placement process, and provision of a free appropriate public education to the child.

PROCEDURES FOR NOTIFICATION OF PROCEDURAL SAFEGUARDS

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

If the native language or other mode of communication of the parent/guardian is other than English, either the notice is translated orally or by other means to the parent/guardian in his/her native language or other mode of communication, to ensure the parent/guardian understands the contents of the notice.

Procedural Safeguards Notice

A procedural safeguards notice shall be made available to parents/guardians of students with a disability annually and upon: (20 USC 1415 (d))

1. Initial referral for evaluation,
2. Each notification of an IEP meeting,
3. Reevaluation of the student, and
4. Registration of a complaint.

This notice shall include information on the procedures for requesting an informal meeting, a resolution session, a pre-hearing mediation conference, a mediation conference, or a due process hearing; the timelines for completing each process; whether the process is optional; the type of representative who may be invited to participate; and the right of the parent/guardian and/or the district to electronically record the proceedings of IEP meetings in accordance with Education Code 56341. A copy of this notice shall be attached to the

student's assessment plan and referred to at each annual IEP meeting. (Education Code 56321, 56321.5)

In addition, this notice shall include the procedural safeguards relating to: independent educational evaluation; prior written notice; parental consent; access to educational records; opportunity to present complaints; the student's placement while due process proceedings are pending; procedures for students who are subject to placement in an interim alternative educational setting; requirements for unilateral placement by parent/guardians of students in private schools at public expense; mediation; due process hearings; state-level appeals; civil action; and attorney's fees.

(20 USC 1415 (d); 34 CFR 300.504)

(See Special Education Rights of Parents and Children—October 2000) CDE Publication
20 USC 1412 (a) (6) 20 USC 1415 56205 (a), 56195.7 (a), 56195.8 (a)(3)

ANNUAL IEP/TRIENNIAL REASSESSMENT

POLICY

It shall be the policy of the Orange SELPA that an annual IEP will be conducted on at least an annual basis to review the child's progress. This review shall include, but is not limited to, the development of present levels of performance, review of achievement of annual goals, determination of the appropriateness of placement and services, and/or to make any necessary revisions to the IEP.

The Orange SELPA shall conduct a reassessment of each child with a disability at least once every three years, but not more than once a year unless, conditions warrant a reassessment or if the child's parent or teacher requests a reassessment and a new Individualized Education Program (IEP) to be developed.

PROCEDURES

ANNUAL ASSESSMENTS

The Orange SELPA procedures for IEP Parent Notification and Participation ensure that the SELPA completes annual assessments within required timelines. The student's IEP is scheduled for review by the IEP team at least once a year. Assessments and IEP meetings will take place within 60 calendar days of receipt of the signed assessment plan. In addition, a special review of the placement may be requested at any time by:

- Any staff member who provides services to, or who knows the student and has a specific concern;

- The student's parent/guardian;
- A student whose due process rights were transferred at the age of 18.

Upon receipt of a written request, the IEP team administrative designee shall schedule a review meeting within 30 calendar days.

Parents and members of the IEP team must be notified by established notification procedures. The IEP team may:

- Review student progress on goals and objectives.
- Modify the IEP by referring the student to a more intensive or less intensive program.
- Recommend the continuation of the current program.

TRIENNIAL ASSESSMENTS

All reevaluations are conducted within three calendar years of the last assessment or more frequently if requested by the student's parent or teacher. The re-evaluation determines if the student continues to have a disability and if he/she continues to require special education services. It also determines how he/she is involved in and progressing in the general education curriculum. Assessment and IEP meetings shall be completed within 60 calendar days upon receipt of the signed assessment plan.

The Orange SELPA utilizes a Management Information System which tracks student IEP and three-year re-evaluation due dates. A list is then compiled of student whose three-year re-evaluations are due in that school year. The list is sent to the appropriate personnel, which may include the site administrator, school psychologist, the classroom teacher, and other special education staff for monthly monitoring and follow-up. A completed three-year re-evaluation is recorded in the student MIS file to assure continued monitoring. The term "evaluation" is used synonymously with "assessment" to designate the process for identifying children with disability and conducting the triennial evaluations.

ASSESSMENT PLAN

For all individuals, birth to 21 years of age, referred for special education services, an initial Assessment Plan is developed within 15 days of referral (not counting days between the student's regular school sessions or terms or day of school vacation in excess of five school days from the date of receipt of referral), based on intake interview information, Student Success Teams findings and recommendations, or parent request for evaluation. The Notice of Procedural Safeguards is included. An Assessment Plan is developed for all initial and triennial evaluations or any time an individual (e.g., psychoeducational) assessment is conducted. The Assessment Plan contains the following:

- a. Reason for the proposed assessment, other options considered, interventions and modifications attempted, and description of evaluation procedures relevant to the proposed action;
- b. Description of the type of evaluation, materials, and procedures;
- c. Assessment personnel identified by title and evaluation area;
- d. The student's primary language and English language proficiency status;
- e. A statement that tests and other evaluation materials will be provided and administered in the student's primary language or other mode of communication, and if not, the reasons why it is clearly not feasible, including any available independent evaluations;
- f. Results of recent evaluations, including any available independent evaluations;
- g. Information the parent requests to be considered;
- h. The necessity for alternative modes of assessment, if appropriate;
- i. Parent consent and date.

The proposed Assessment Plan is provided in the primary language of the parent/guardian, unless to do so is clearly not feasible, and written in language easily understood by the general population. The parents have at least 15 days from receipt of the proposed Assessment Plan to arrive at a decision. Written consent of the parent or guardian is obtained prior to conducting the assessment.

The assessment will be completed within 60 days of receipt of the parent's/guardian's written consent (not counting days between the student's regular school sessions or terms or days of school vacation in excess of five school days from the date of receipt of referral). If the assessment personnel have legitimate reasons, they may request an extension of the timeline. Such an extension requires written approval from the parent, guardian or surrogate.

ASSESSMENT PROCESS

Evaluations are conducted by competent multi-disciplinary team members, including at least one teacher or specialist knowledgeable in the area of the suspected disability. Attention is given to the student's need for specialized services, materials, and equipment when the low incidence disabilities of visual, hearing, and severe orthopedic impairment are suspected. Students assessed for initial and three-year evaluations have a vision and hearing screening unless parental permission is denied. Assessment personnel are competent and appropriately trained to administer and interpret test results and, when necessary, are knowledgeable and understanding of cultural and ethnic backgrounds and competent in both the oral and written skills of English Language Learners. When appropriate, an interpreter is used and reported in the evaluation.

Individuals are assessed in their primary language or other mode of communication unless it is clearly not feasible to do so. All areas of suspected disability are evaluated. Tests and materials used for evaluation are selected and administered so as not to be racially,

culturally, or sexually discriminatory and to reflect the individual's skills and aptitude levels. The evaluation process ensures that no single procedure or evaluation is the sole criterion for determining placement. Staff works collaboratively to ensure that a student with a suspected low-incidence disability is assessed by qualified and trained personnel, in all areas related to the suspected disability, consistent with state guidelines.

ASSESSMENT REPORT

Assessment personnel prepare (a) written report(s) of the results of each evaluation. Each report contains the following required components:

- a. Results of test(s) administered in the primary language of the student by qualified personnel;
- b. A statement regarding the validity of the evaluation;
- c. A statement regarding whether the tests are valid for the purpose for which they are used;
- d. Whether the student's needs can be met in the regular classroom;
- e. If the student may need special education and related services;
- f. Relevant behavior noted during the observation of the student in an appropriate setting;
- g. The educationally relevant health, developmental, and medical findings, if any;
- h. A determination of the effects of environmental, cultural, or economic disadvantage;
- i. The need for specialized services, materials, and equipment for students with low incidence disabilities;
- j. Consideration of independent assessments; and
- k. The basis for making the determination of eligibility

For a student with a suspected learning disability, the members of the IEP team shall document the determination of eligibility including:

- a. Whether the student has a specific learning disability pursuant to 5 CCR 3030(b)(10);
- b. The basis for making the determination;
- c. The relevant behavior noted during the observation of the student;
- d. The relationship of that behavior to the student's academic functioning;
- e. The educationally relevant medical findings, if any;
- g. The determination of the IEP team concerning the effects of environmental, cultural, or economic disadvantage.

INDEPENDENT EDUCATIONAL EVALUATIONS

If a parent disagrees with an evaluation conducted by the District, the parent must inform the District in writing of the disagreement and may request an independent educational evaluation (IEE). Upon receipt of a parent request for an IEE, the District may

initiate a due process hearing to show that its evaluation is appropriate, or provide the parents with information about how an IEE may be obtained at public expense and the applicable criteria for the evaluation. An evaluator must not be a regular employee of the District responsible for the education of the child, must conduct evaluations in accordance with all requirements of federal and state law, be appropriately credentialed and/or licensed to conduct the evaluation, and meet the Orange SELPA's agency criteria. If a parent/guardian requests an IEE, the District must either fund the IEE or deny the request for an IEE and file for due process hearing on the appropriateness of the District's assessments without undue delay. If a hearing officer decides that the district's evaluation was not appropriate, the parent may request reimbursement for the private evaluation. If the parent/guardian obtains an IEE at private expense, the IEP team will consider the results of the IEE at an IEP team meeting for the student.

20 USC 1412 (a) (7), 1414 (A-C), 34 CFR 300.128, 300.220
56205 (a), 56320-333, 56380(a), CCR Title 5, 3021-3029

INTERAGENCY AGREEMENTS

Other public agencies are also responsible for the provision of services to some students with disabilities and their families. The Orange SELPA participates with Orange County Department of Education (OCDE) to ensure that eligible special education students receive appropriate related services from designated agencies as outlined in their Individualized Education Programs.

Interagency Agreements outline how students access services, define service delivery, case management and fiscal responsibility. Interagency agreements are developed and maintained when necessary and appropriate.

SUSPENSION/EXPULSION

POLICY

It shall be the policy of the Orange SELPA that data on suspension and expulsion rates will be provided in a manner prescribed by the State.

California has enumerated laws with regard to suspension and expulsion. Educational opportunities are provided to all expelled students per the Orange County Department of Education's County Expulsion Plan for students. The principal of each school is responsible for keeping detailed records and reporting each incident to the district and Board of Education. The district in turn is responsible to report annually to the Department of Education data on the numbers of students recommended for expulsion, the grounds for the recommendation,

the action taken, the type of referral for education, and the disposition of the pupil at the end of the expulsion period. The Department of Education analyzes the data to determine if an LEA has a significant discrepancy from state averages. Failure to submit a timely report requires the state superintendent to withhold further apportionment of funds to the LEA.

The Special Education Division is organized into geographic regions for providing focused monitoring and technical assistance and for the purpose of maintaining a close relationship with the LEAs and the performance of their students with disabilities. A database of key performance indicators (KPI) is kept and analysis is made on an ongoing basis to provide assistance whenever KPIs indicate a potential problem. In this mode, excessive suspension and expulsion rates will trigger an action for Department and SELPA staff to work to determine the basis for and a resolution to the problem. Such an indicator may also target the LEA for an on-site review if a timely and satisfactory resolution has not been implemented.

PROCEDURES

In accordance with federal requirements: 20 USC 14121 (a) 22, it shall be the policy of the SELPA that the state prescribed data rates on suspension and expulsion will be collected on the District's CASEMIS system. The data will be reported to the State Department of Education as directed by state guidelines.

20 USC 1412 (a) (22)

56205 (a)

ACCESS TO INSTRUCTIONAL MATERIALS

It shall be the policy of the Orange SELPA 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.

20 USC Section 1412 (a)(23)

PROCEDURES FOR MONITORING THE PROVISION OF SERVICES:

Every student with a disability is assigned a case manager through the IEP process. In most instances, the special education teacher at the school site is assigned as the case manager. When students are assigned to programs outside the LEA, a case manager is assigned through the special education office. That case manager will oversee the IEP in the alternative setting and ensure that services are provided consistent with the IEP. The case manager will also work closely with the home school site to transition the student back into the public school setting successfully when appropriate.

20 USC 1412 (a) (2) 48926, 56205 (a), 56205 (c), 56345 (b)(3), 56368 (b)(5)

CONFIDENTIALITY

POLICY

It shall be the policy of the Orange SELPA that the confidentiality of personally identifiable data information and records maintained by the SELPA relating to children with disabilities and their parents and families shall be protected at collection, storage, disclosure, and destruction.

PROCEDURES

California's Education Code conforms to the provisions of Public Law 93-380, the Family Education Rights and Privacy Act (FERPA) regarding parental access to, and the confidentiality of a child's records. California regulations define three categories of pupil's records:

- Mandatory permanent records;
- Mandatory interim records; and
- Permitted records.

The District maintains all educational records in compliance with state and federal law.

INFANT AND PRESCHOOL SERVICES

The Orange SELPA has entered into an agreement with RCOC to provide services to infants and toddlers pursuant to California's Early Intervention Services Act (GC 95000 et seq) The agreement also includes procedures for resolving disputes and other components necessary to ensure effective cooperation and coordination between the two agencies. A copy of the Interagency Agreement is available through the Orange SELPA office.

EARLY EDUCATION PROGRAM DESCRIPTION

Infants residing in the Orange SELPA boundaries that have medical or developmental problems and are under three years of age may be eligible for services. There are three primary focuses:

- Home visits include assessment in the home by a multidisciplinary team, parent training to maximize the infant's development, informal discussions and support.
- The school program offers group activities in a Parent-Infant classroom focusing on behavior skills and socialization. Parent training includes information on how a baby grows, disability awareness, and strategies and interventions to enhance the child's development.

- The parent support component includes discussion groups, parent in-services, assisting the family to acquire necessary additional services for the child, and connecting the family with other agencies.

PROCEDURES FOR INITIATING AND PROCESSING REFERRALS

Anyone who has a concern about an infant's growth or development may make a referral to the Orange SELPA. The staff completes an Early Start Program Referral Form and assigns the referral to an intake coordinator. The intake coordinator contacts the parent/guardian to arrange for an initial intake interview in the child's home. This interview consists of basic questions regarding the child's health, developmental history, diagnosis (if any), strengths, weaknesses and needs. Discussion of the family's needs and concerns also occurs at this time. The intake coordinator then determines the team members necessary for evaluation and the assessment segment of the identification process. Parent rights and responsibilities in the Early Start Program are explained and, upon completion of assessment, an Early Start Individualized Family Service Plan (IFSP) is developed.

PART C, TRANSITION TO PRE-SCHOOL

POLICY

It shall be the policy of the Orange SELPA that children participating in Early Intervention Programs (IDEA, Part C) and who will participate in preschool programs (IDEA, Part B) experience a smooth and effective transition between these programs.

PROCEDURES

The California Government Code requires transition planning for toddlers served under the Early Intervention Services Act (Part C) who may be eligible for preschool programs under Part B.

For infants previously identified as candidates for special education program services, who may be eligible under Part B, and who have an IFSP, the transition process into a preschool program begins when the child reaches the age of 30 months (2 years, 6 months). The Regional Center of Orange County (RCOC) team will discuss a transition plan with the family, update assessment reports as necessary, and forward a copy of the child's IFSP and the assessment report(s) to the Orange SELPA Special Education Preschool staff. The ORANGE SELPA District Staff will review the child's file, and schedule a joint IEP team meeting with past and potential service providers. Orange SELPA shall begin serving identified students at age 2.6 – 2.9 for transition into specified program at age 3.

Initial preschool referrals are reviewed in a format similar to the Student Success Team (SST) process. The preschool team obtains information from the child's parent/guardian and from preschool staff (when appropriate). The team meeting provides an opportunity to discuss the child's growth and development relative to the expectations, intervention strategies, and the child's potential need for assessment to determine eligibility for special education program services.

20 USC Section 1412 (a) (9), 20 USC 1431
56205(a) (9), 56429, 17 CCR 52140

PRIVATE SCHOOLS

POLICY

Many students with disabilities attend private schools. Under federal and state law the LEA where a private school is located is responsible for child find, equitable services, and allocating a proportionate amount of funds to provide services to students voluntarily enrolled by their parents in private schools. 34 CFR 300.131 (a). It shall be the policy of the Orange SELPA to assure that children with disabilities voluntarily enrolled by their parents in private school shall receive special education and related services in accordance with local procedures.

COMPLIANCE ASSURANCES

POLICY

It shall be the policy of the Orange SELPA that the local plan shall be adopted by the local Governing Board of Education and is the basis for the operation and administration of special education programs; and that the agency herein represented will meet all applicable requirements of state and federal laws and regulations, including compliance with the Individuals with Disabilities Education Improvement Act (IDEA '04), Section 504 of Public Law and the provisions of the California Education Code, Part 30.

20 USC 1412 56205 (a)(11)

COMPREHENSIVE SYSTEM OF PERSONNEL DEVELOPMENT (CSPD)

POLICY

It shall be the policy of the Orange SELPA that it will support and assist the state's efforts and activities to ensure an adequate supply of qualified special education, general education, and related services personnel.

PROCEDURES

Implementation of the Orange SELPA Special Education Local Plan requires ongoing personnel development to provide appropriate learning experiences which promote understanding, increase skills and expertise, and ensure that federal and state law will be followed. Personnel development opportunities will:

- a. Provide participants with the necessary information, training and resources to ensure compliance with special education as required by federal and state law;
- b. Provide the participants with opportunities to engage in activities that enhance personal and professional growth; and
- c. Meet the needs of personnel, school programs, parents and students as they relate to the development and implementation of IEP's for students with disabilities.

Orange SELPA staff development offerings will adhere to the following guidelines:

- a. The Orange SELPA is responsible for overall coordination of personnel development in accordance with policy approved by the Board of Education;
- b. The Orange SELPA will ensure that appropriate participants are notified and will support the staff's attendance, as appropriate.

It is the responsibility of the SELPA Administrator and/or the supervisor to determine which district personnel will participate in specific staff development activities and to make the necessary arrangements within the District for their participation, including release time.

The SELPA Director of Special Education/District Program Coordinators/Instructional Specialists will gather information, identify needs, and share findings and recommendations with the Educational Services Department staff for discussion and planning. The SELPA will:

- Arrange presenters
- Arrange locations

- Publish and distribute staff development calendar to all identified participants
- Inform District staff of on-going and staff development offerings
- Ensure that state and/or federal requirements for staff development are offered

The Orange SELPA staff will be responsible to District special education staff for personnel development needs that may arise; and, as possible, will provide assistance and resources.

Personnel Development offerings will be evaluated by workshop attendees and the Student Support Services Staff Development Committee, to assess effectiveness and to determine future offerings.

The SELPA will ensure that CAC representatives and parents have opportunities for input and will be informed of District and regional trainings.

20 USC 1412 (a)(14-15), 1413 (a)(3) 56205 (a), State Board Policy 06/11/98

PERFORMANCE GOALS & INDICATORS

The Orange SELPA believes that all students need to meet high standards of academic knowledge and skills. In addition, they must have the ability to apply their skills to the workplace, where they will be required to adapt to emerging technologies and changing societal needs. The SELPA recognizes that content and performance standards are necessary to clarify for students, parents/guardians and staff what students are expected to know and be able to do at each grade level and in each area of study. Student goals and objectives on their individual IEPs shall be based on the state content standards whenever appropriate.

POLICY

It shall be the policy of the Orange SELPA to comply with the requirements of the performance goals and indicators developed by the state and provide data as required by the state. A review of the District performance goals and indicators is made on at least an annual basis to determine priorities for program improvement.

20 USC 1412 (a) (16)
56205 (a)

PERSONNEL STANDARDS

POLICY

It shall be the policy of the Orange SELPA to make an ongoing, good faith effort to recruit and hire appropriately and adequately trained personnel, as defined by state standards to provide special education and related services to children with disabilities. Where there is a shortage of such personnel, the most qualified individuals available who are making satisfactory progress toward completing applicable coursework necessary to meet state standards, shall be assigned.

PROCEDURES

With the serious shortage of teachers and specialists, the Commission on Teacher Credentialing (CTC) after two years of in-depth studies and public input, adopted a new credentialing structure for special education credentials in California, which is now being implemented. All prior issued credentials continue in force, but new candidates are now required to obtain one or more of the following credentials:

- Education Specialist Instruction Credential with a specialty area in:
 - Mild/Moderate Disabilities, K–12 (M/M)
 - Moderate/Severe Disabilities, K–12 (M/S)
 - Deaf and Hard of Hearing, birth–age 22 (DHH)
 - Physical and Health Impairments, birth–age 22 (PHI)
 - Visual Impairments, birth–age 22 (VI)
 - Early Childhood Special Education, birth–pre-K (ECSE)
 - Language and Academic Development (LAD)
- Speech-Language Services Credential with a specialty area in:
 - Language, Speech and Hearing
 - Language, Speech and Hearing and Audiology
 - Language, Speech and Hearing including Special Class Authorization
 - Language, Speech and Hearing and Audiology including Special Class Authorization

General education knowledge, skills as well as an English Learner Authorization are embedded into current Special Education Credentialing Programs. Several new programs have been developed to support teacher candidates at the onset of their careers through internships and/or Induction programs which move Preliminary Credential holders to Clear Credential status. Teachers in nonpublic schools must meet the same credentialing standards.

ASSURANCE OF QUALIFIED PERSONNEL

The Orange SELPA shall take steps to ensure that there is an adequate supply of qualified and adequately prepared special education, general education, and related services personnel. Such steps shall include, but not be limited to, the following:

- Widespread recruitment of teachers and support personnel
- Collaboration with surrounding colleges in their teacher education program design and supervision of student teachers and interns.
- Ongoing staff development activities for special education administrators, teachers, and support staff
- Ongoing staff development activities for general education administrators, teacher and support staff

A major program designed to assure success of new teachers is the California Teacher Induction Program (CTIP). This program provides mentoring for new teachers as well as the means to obtain clear credentials for general education and/or special education teachers. Additional, District initiatives and programs provide opportunities for mentoring and professional growth supporting pupil success and teacher retention. The Special Education Department annually collaborates with the Human Resources department to analyze current staffing and address future employment needs.

20 USC 1412 (a) (14-15), 1413 (a)(3)

56205 (a), State Board Policy 6/11/98

PARTICIPATION IN ASSESSMENTS

POLICY

It shall be the policy of the Orange SELPA that students with disabilities are included in general State and District-wide assessment programs, with appropriate accommodations, where necessary. For those children with disabilities who cannot participate, alternate assessment will be conducted.

PROCEDURES

Students with disabilities are included in general state and District-wide assessment programs, with appropriate accommodations or modifications, where necessary. Each student's IEP team shall determine, at least on an annual basis, the individual accommodations or modifications in the administration of state or District-wide assessments

necessary to minimize the impact of the student's disability on test performance. If the IEP team determines that the child will not participate in a particular state or district-wide assessment of student achievement, or part of an assessment, the IEP shall include a statement of why that assessment is not appropriate for the child and how the child will be assessed.

Students with significant cognitive disabilities should participate in the state alternate assessment system, in accordance with state guidelines for determination of appropriate assessment participation.

20 USC 1412 (a) (17)
56205 (a)

SUPPLEMENTATION OF STATE/FEDERAL FUNDS

POLICY/ASSURANCE STATEMENT

It shall be the policy of the Orange SELPA to include this information in the Annual Budget Plan submitted annually to the State.

PROCEDURES

Orange SELPA will submit an annual budget plan, per CDE regulations.
20 USC 1412 (a) (18)
56205 (a) (18)

MAINTENANCE OF EFFORT

POLICY

It shall be the policy of the Orange SELPA to provide assurances that funds received from part B of the IDEA will be expended in accordance with the applicable provisions of the IDEA; will be used to supplement state, local, and other Federal funds and not to supplant those funds; and will not be used to reduce the level of local funds and/or combined level of local and state funds expended for the education of children with disabilities except as provided in Federal law and regulations.

ASSURANCE STATEMENT/POLICY

It shall be the policy of the Orange SELPA to include this information in the Annual Budget Plan submitted annually to the State.

20 USC 1412 (a) (19), CFR 30.231-2 56205 (a) (19)

OVERIDENTIFICATION AND DISPROPORTIONALITY

It shall be the policy of the Orange SELPA to prevent the inappropriate disproportionate representation by race and ethnicity of students with disabilities.

20 USC Section 1412 (a)(24)

PROHIBITION ON MANDATORY MEDICINE

It shall be the policy of the Orange SELPA to prohibit school personnel from requiring a student to obtain a prescription for a substance covered by the Control Substance Act as a condition of attending school or receiving a special education assessment and/or services.

20 USC Section 1412 (a)(25)

DATA

It shall be the policy of this SELPA to provide data or information to the California Department of Education that may be required by regulations.

20 USC Section 1418 a-d



Orange Unified School District Special Education Local Plan

Prepared by:

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