

Contra Costa
Special Education Local Plan Area

**LOCAL PLAN
FOR
SPECIAL EDUCATION**

EFFECTIVE JULY 1, 2014



2520 Stanwell Drive, Suite 270
CONCORD, CA 94520

(925) 827-0949
(925) 825-1124 FAX

www.ccselpa.org

CONTRA COSTA SELPA LOCAL PLAN

CERTIFICATION OF BOARD APPROVAL DATES

| <u>DISTRICT</u> | <u>DATE OF BOARD APPROVAL</u> |
|---|-------------------------------|
| Acalanes Union High School District | May 21, 2014 |
| Antioch Unified School District | June 11, 2014 |
| Brentwood Union School District | May 28, 2014 |
| Byron Union School District | May 29, 2014 |
| Canyon School District | June 10, 2014 |
| Contra Costa County Office of Education | June 4, 2014 |
| John Swett Unified School District | June 11, 2014 |
| Knightsen School District | May 28, 2014 |
| Lafayette School District | June 25, 2014 |
| Liberty Union High School District | May 28, 2014 |
| Martinez Unified School District | June 9, 2014 |
| Moraga School District | June 10, 2014 |
| Oakley Union School District | June 4, 2014 |
| Orinda Union School District | June 9, 2014 |
| Pittsburg Unified School District | June 4, 2014 |
| Walnut Creek School District | June 2, 2014 |

CONTRA COSTA SELPA LOCAL PLAN

MEMBER PARTICIPANTS

Acalanes Union High School District
Antioch Unified School District
Brentwood Union School District
Byron Union School District
Canyon School District
Contra Costa County Office of Education
John Swett Unified School District
Knightsen School District
Lafayette School District
Liberty Union High School District
Martinez Unified School District
Moraga School District
Oakley Union School District
Orinda Union School District
Pittsburg Unified School District
Walnut Creek School District

LOCAL PLAN REVISION COMMITTEE 2006-07

Johnny W. Welton, Director, Contra Costa SELPA
Malisa Cochran, Coordinator, Contra Costa SELPA
Sally Macy, Program Specialist, Contra Costa SELPA
Laura Albano, CAC Representative, Liberty Union High School District
Cheryl Hazell-Small, Director of Special Services, Acalanes Union High School District
Jean Anthony, Assistant Director, Special Education, Secondary Programs, Antioch Unified School District
Denis Sheehan, Special Day Class Teacher, Antioch Unified School District
Connie Forrest, Coordinator of Special Education, Brentwood Union School District
Helen Pursell, Vice Principal, Krey Elementary, Brentwood Union School District
Ken Jacopetti, Asst. Superintendent of Educational Services, Byron Union School District
Canyon School District - Represented by SELPA and COE staff
Jane Shamieh, Contra Costa County Office of Education
Marilyn Johnston, Special Day Class teacher, John Swett Unified School District
Ann Knight, Parent, John Swett Unified School District
Ray Witte, Director of Special Education, Knightsen School District
Dana Sassone, Director of Special Services, Lafayette School District
John Saylor, Director of Special Services, Liberty Union High School District
Nancy Birenbaum, Director of Student Services, Martinez Unified School District
Sharon Pincus, Director of Pupil Services, Moraga School District
Rick Rogers, Superintendent, Oakley Union School District
Maryann Hussey, Director of Student Services, Oakley Union School District
Robin Reves, Director of Special Education, Orinda Union School District
Deborah Penry, Parent, Orinda Union School District
Debbie Daly, Director of Special Education, Pittsburg Unified School District
Julie Vasquez, Parent, Pittsburg Unified School District
Linda Pineda, General Education Teacher, Pittsburg Unified School District
Lorraine Ryor, Director of Special Services, Walnut Creek School District
Rich Gorton, Parent, Walnut Creek School District

CONTRA COSTA SELPA LOCAL PLAN

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Note: All citations refer to California Education Code – Part 30, unless otherwise noted.

CONTRA COSTA SELPA LOCAL PLAN

CERTIFICATIONS

1. SED-LP 1 – Certification of Participation, Compatibility and Compliance
2. SED-LP 2 – Community Advisory Committee Certification
3. SED-LP 3 – Local Plan Assurance and Policy Grid
4. SED-LP 4 – Elements of the Local Plan
5. SED-LP 5 – LEA Assurance Statement

CONTRA COSTA SELPA LOCAL PLAN

SED-LP-1 CERTIFICATION OF PARTICIPATION, COMPATIBILITY, AND COMPLIANCE ASSURANCES

1. Check one, as applicable: Single District Multiple District District/County

| | | |
|---|---|--------------------|
| CDS Code / SELPA Code | SELPA Name | Application Date |
| 07-40782 0701 | Contra Costa SELPA | June 30, 2014 |
| SELPA Address 2520 Stanwell Drive, Suite 270 | SELPA City Concord | SELPA Zip 94520 |
| SELPA Director | SELPA Director's Telephone Number (925) 827-0949 x14 | |

2. CERTIFICATION BY AGENCY DESIGNATED AS ADMINISTRATIVE AND FISCAL AGENCY FOR THIS PROGRAM (Responsible Local Agency (RLA) or Administrative Unit (AU))

| | | |
|--|--------------------|------------------|
| RLA/AU Name | RLA Superintendent | Telephone Number |
| Byron Union School District | | (925) 809-7500 |
| RLA/AU Street Address | RLA/AU City | RLA/AU Zip |
| 14301 Byron Highway | Byron | 94514-1520 |
| Date of Governing Board Approval June 3, 2014 | | |

3. CERTIFICATION OF ASSURANCES

I certify that this plan has been 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, regulations and state policies and procedures, including compliance with the Individuals with Disabilities Education Act, 20 USC 1400 et.seq, and implementing regulations under 34 CFR, Parts 300 and 303, 29 USC 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.

Signature of RLA Superintendent _____ Date _____

4. CERTIFICATION OF COMPATIBILITY BY THE COUNTY SUPERINTENDENT OF SCHOOLS

Pursuant to Education Code Section 56140, this plan ensures that all individuals with exceptional needs residing within the county, including those enrolled in alternative education programs, including but not limited to, alternative schools, charter schools, opportunity schools and classes, community day schools operated by school districts, community schools operated by the county office of education, and juvenile court schools, will have access to appropriate special education programs and related services.

| | | |
|---|---|---------------------------|
| County Office Name | County Superintendent or Authorized Representative | Title |
| Contra Costa County Office of Education | | Superintendent of Schools |
| Street Address | Signature of County Superintendent or Authorized Representative | Date |
| 77 Santa Barbara Road | | |
| City | Zip | Telephone Number |
| Pleasant Hill | 94523 | (925) 942-3433 |

5. CERTIFICATION OF COMMUNITY ADVISORY COMMITTEE

(See attached)

FOR DEPARTMENT OF EDUCATION USE ONLY

Recommended for Approval by the Superintendent of Public Instruction:

Date: _____ By: _____ Date of Approval: _____

Signed forms and Assurances on file at the SELPA office.

CONTRA COSTA SELPA LOCAL PLAN

SED-LP-2 COMMUNITY ADVISORY COMMITTEE (CAC) CERTIFICATION

| COMMUNITY ADVISORY COMMITTEE (CAC) CERTIFICATION | | |
|---|----------------------------------|----|
| CAC signature and verification: | YES | NO |
| I certify : | | |
| 1. that the Community Advisory Committee (CAC) has advised the policy and administrative agency during the development of the local plan pursuant to Education Code (E.C.) Section 56194; | X | |
| 2. that to ensure adequate and effective participation and communication pursuant to E.C. 56195.9, parent members of the CAC, or parents selected by the CAC, participated in the development and update of the plan for special education; | X | |
| 3. that the plan has been reviewed by the CAC and that the committee had at least 30 days to conduct this review prior to submission of the plan to the Superintendent pursuant to E.C. 56205 (b)(6); | X | |
| 4. that the CAC has reviewed any revisions made to the local plan as a result of recommendations or requirements from the California Department of Education. | X | |
| CERTIFICATION OF COMMUNITY ADVISORY COMMITTEE | | |
| Signature of CAC Chairperson | Date | |
| Chairperson | Telephone Number 925-313-0999 | |

If you checked [✓] NO for any of the above certifications, you may submit specific information, in writing, as to why you did not certify that the SELPA met the requirement. (Attach separate sheet, if necessary.) The Department will take this into consideration in its review of this local plan application.

CONTRA COSTA SELPA LOCAL PLAN

SED-LP-3 LOCAL PLAN ASSURANCE AND POLICY/PROCEDURE GRID

(GUIDANCE DOCUMENT)

| Federal Requirements | Federal Reference(s) | State Education Code Reference(s) | Signed Assurances Submitted to CDE | Local Policy /Procedures Submitted to CDE | Local Policy /Procedures (held on file locally) |
|---|---|---|------------------------------------|---|--|
| 1. Free appropriate public education | 20 USC Section 1412, CFR 300.24, 300.300 (a) (3), 300.340 – 300.351 of Part B Regulations | 56205(a), 5 CCR Chapter 3, Article 1, Section 3001(b) | X | | |
| 2. Full educational opportunity | 20 USC 1412 (a) (2) | 48926, 56205(a), 56205(c), 56345 (b)(3), 56368(b)(5) | X | | |
| 3. Child find | 20 USC Section 1412 (a) (3) (A-B), 34 CFR Sections 300.125 | 56205(a), 56301 | X | | X |
| 4. Individual Education Plan | 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) | X | | X |
| 5. Least restricted environment | 20 USC 1412 (a) (5) (A) | 56205(a), 56031, 56201, 56206, 56303, State Board Policy (10/10/1986) | X | | |
| 6. Procedural safeguards | 20 USC 1412 (a) (6), 20 USC 1415 | 56205(a), 56195.7(a), 56195.8(a)(3) | X | | X |
| 7. Annual/Triennial Reassessment | 20 USC Section 1412 (a) (7), 1414 (a-c), 34 CFR 300.128, 300.220 | 56205(a), 56320-333, 56380(a), CCR Title 5, 3021-3029 | X | | |
| 8. Confidentiality | 20 USC 1412 (a) (8), 1417 | 56205(a) | X | | |
| 9. Part C transition (Interagency Agreement) | 20 U.S.C. 1412(a)(9) | 56205(a), 56429, 17 CCR 52140 | X | X | |
| 10. Private schools | 20 USC Section 1412 (a) (10) (A-C), CFR 300.454 | 56205(a) | X | | X |
| 11. Compliance assurances (See SED-LP 1) | 20 USC 1412 | 56205(a)(11) | X | | |
| 12. Governance (See State Requirements) | 20 USC 1412 (a), 20 USC 1413 (a)(1), 20 USC 1413 (a)(5) | 56205(a)(12), 56001(f), 56190-4, 56195.1(b)(c), 56195.3, 56195.9, 56205(b)(4), 56205(b)(5), 47640-47647 | | | |
| 13. Copies of joint powers agreements (See Governance) | 20 USC 1412 (a), 20 USC 1413 (a)(1), 20 USC 1413 (a)(5) 9 | 56205(a), 56195(e) | | | |
| 14. Comprehensive System Of Personnel Development (CSPD) | 20 USC 1412 (a) (14-15), 1413 (a) (3) | 56205(a), State Board Policy 6/11/98 | X | | X |
| 15. Personnel standards | 20 USC 1412 (a) (14-15), 1413 (a) (3) | 56205(a), State Board Policy 6/11/98 | X | | X |
| 16. Performance goals and indicators (See SED-LP 1) | 20 USC 1412 (a) (16) | 56205(a) | X | | |
| 17. Participation in State/District Assessments | 20 USC 1412 (a) (17) | 56205(a) | X | | X |
| 18. Supplementation of state/federal funds (Annual Budget Plan) | 20 USC 1412 (a) (18) | 56205(a) | X | | |
| 19. Maintenance of financial effort (Annual budget plan) | 20 USC 1412 (a) (19), CFR 30.231-2 | 56205(a) | X | | |
| 20. Public participation (See Governance) | 20 USC 1412 (a) (20) | 56205(a) | | | |
| 21. Suspension/expulsion rates | 20 USC 1412 (a) (22) | 56205(a) | X | X VIA CASEMIS | |
| 22. Part C - Interagency Agreement | 20 USC 1431-35 | EC 52140, EC 56205 (b) (3), EC 56429, 14 GC 95000 et seq., 17 CCR 52000-52175 | | | |
| STATE REQUIREMENTS | | State Education Code Reference(s) | Signed Assurances Submitted to CDE | Local Policy /Procedures Submitted to CDE | Local Policy /Procedures (held on file locally) |
| Governance | | 56195, 56205 | | X | It is advised that you maintain a copy of the submitted Policies/Procedures on file locally. |
| Regionalized services | | 56195.7(c)(1-6), 56205 (a)12(B) | | X | |
| Public participation | | 56205(b)(4) | | X | |
| Dispute resolution process (Multi-district or JPA only) | | 56205(b)(5) | | X | |
| Charter schools | | 56207.5 (a-c), 56195.1(f) | | X | |

CONTRA COSTA SELPA LOCAL PLAN

| | | | | |
|---|--|------------------------------------|---|---|
| Method of distributing funds (Multi-district or JPA only) | 56195.3 | | X | |
| Literacy | State Board Requirement | | X | |
| Behavioral Interventions Plans | 5 CCR 3052(j), Hughes Bill | | X | |
| Annual service plan | 56205(b)(2) | | X | |
| Early education program description (birth-5 Yrs.) | 56205 (b) (3) | | X | |
| Annual budget plan | 56205(b)(1), 56195.7(h) | | X | |
| Supplementation of state/federal funds | 56205(a) | | X | |
| Maintenance of financial effort | 56205(a) | | X | |
| Use of Property Taxes | 56205(b)(1)(G) | | X | |
| | NOTE: Shaded areas still in development. | | | |
| LOCAL REQUIREMENTS | State Education Code Reference(s) | Signed Assurances Submitted to CDE | Local Policy /Procedures Submitted to CDE | Local Policy /Procedures (held on file locally) |
| Joint powers/contracts (JPA only) | 56195(e), 56205(a) | | | X |
| Coordination with other agencies | 56195.7(d-g) | | | X |
| Policymaking (Multi-district) | 56195.7(i) | | | X |
| Hospital, LCI, Agencies Juvenile Court | 56195.7(d-g) | | | X |
| NPS monitoring | 56195.7(e), 56195.8(b)(1), 56205 (c) | | | X |
| Specialized equipment & services | 56206 | | | X |
| Community Advisory Committee Certification (See SED-LP-2) | 56205 (b)(6) | X | | |
| Consideration of general education program resources | 56303 | | | X |
| Identify/referral/assessment/planning/implementation/review | 56195.7(a), 56303, 56205(b)(7) | | | X |
| Review of class assignment at Teacher's request | 56195.8(a)(2) | | | X |
| Resource Specialists Program | 56195.8(b)(4), 56362 | | | X |
| Transportation | 56195.8(b)(5) | | | X |
| Information on number of pupils being provided special education/related services | 56195.8(b)(6) | | | X |
| Caseloads for speech/language therapists ages (3-5) | 56195.8(b)(7), 56440 | | | X |
| Governing Board members/due process hearing procedures | 56195.8(c) | | | X |
| Local Plan developed and updated by committee | 56195.9 | | | X |
| Distribution of state and local funds | 56195.10 | | | X |

CONTRA COSTA SELPA LOCAL PLAN

SED-LP-4 ELEMENTS OF THE LOCAL PLAN

| CHAPTER 3. ELEMENTS OF THE LOCAL PLAN | Cross Reference | Page # where criteria can be located in Local Plan | Compliance Checklist |
|---|--------------------|--|----------------------|
| Article 1. 1 State Requirements | | | |
| 56205 (a) Each special education local plan area submitting a local plan to the superintendent under this part shall demonstrate, in conformity with subsection (a) of Section 1412 of, and paragraph (1) of subsection (a) of section 1413 of, Title 20 of the United States Code, that it has in effect policies, procedures, and programs that are consistent with state laws, regulations, and policies governing the following: | 56195.1 (a)(12)(D) | — | |
| 56205 (a) (12) (A) A description of the governance and administration of the plan, including identification of the governing body of a multi-district plan or the individual responsible for administration in a single district plan, and of the elected officials to whom the governing body or individual is responsible. | 56195.1 (a)(12)(D) | 26, 29 | Yes () No () |
| 56205 (a) (12) (B) A description of the regionalized operations and services listed in Section 56836.23 and the direct instructional support provided by program specialists in accordance with Section 56368 to be provided through the plan | | 30, 31 | Yes () No () |
| 56205 (a) (12) (C) Verification that a community advisory committee has been established pursuant to Section 56190. | | 7, 33 | Yes () No () |
| Multidistrict SELPAs 56205 (a) (12) (D) Multidistrict plans, submitted pursuant to subdivision (b) or (c) of Section 56195.1, shall do the following: | | — | |
| 56205 (a) (12) (D) (i) Specify the responsibilities of each participating county office and district governing board in the policymaking process, the responsibilities of the superintendents of each participating district and county in the implementation of the plan, and the responsibilities of district and county administrators of special education in coordinating the administration of the local plan. | 56195.1 | 26, 28, 29, 33, 37, 39 | Yes () No () |

CONTRA COSTA SELPA LOCAL PLAN

| CHAPTER 3. ELEMENTS OF THE LOCAL PLAN | Cross Reference | Page # where criteria can be located in Local Plan | Compliance Checklist |
|--|-----------------|--|----------------------|
| Article 1. 1 State Requirements | | | |
| 56205 (a) (12) (D) (ii) Identifying the respective roles of the administrative unit and the administrator of the special education local plan area and the individual local education agencies within the special education local plan area in relation to the following: | 56195.1 (b) | 28, 29, 31 | |
| 56205 (a) (12) (D) (ii) (I) The hiring supervision, evaluation, and discipline of the administrator of the special education local plan area and staff employed by the administrative unit in support of the local plan. | | 31, 32, 36 | Yes () No () |
| 56205 (a) (12) (D) (ii) (II) The allocation from the state of federal and state funds to the special education local plan area administrative unit or to local education agencies within the special education local plan area. | 56195.1 (b) | 38 | Yes () No () |
| 56205 (a) (12) (D) (ii) (III) The operation of special education programs. | | 28, 29, 30 | Yes () No () |
| 56205 (a) (12) (D) (ii) (IV) Monitoring the appropriate use of federal, state, and local funds allocated for special education programs. | | 31 | Yes () No () |
| 56205 (a) (12) (D) (ii)(V) The preparation of program and fiscal reports required of the special education local plan area by the state. | | 31, 32 | Yes () No () |
| 56205 (a) (13) Copies of joint powers agreements or contractual agreements, as appropriate, for districts and counties that elect to enter into those agreements pursuant to subdivision (b) or (c) of Section 56195.1. | | 35-41 | Yes () No () |
| 56205 (b) (1) Each local plan submitted to the superintendent under this part shall also contain all the following: | | — | |
| (1) An Annual Budget Plan that shall be adopted at a public hearing held by the special education local plan area. Notice of this hearing shall be posted in each school in the local plan area at least 15 days prior to the hearing. The annual budget plan may be revised during any fiscal year according to the policymaking process established pursuant to subparagraph (D) and (E) of paragraph (12) of subdivision (a) and consistent with subdivision (f) of Section 56001 and Section 56195.9. The annual budget plan shall identify expected expenditures for all items required by this part which shall include, but not be limited to, the following: | | To be submitted one year after plan is approved by CDE 45, 46 | |

CONTRA COSTA SELPA LOCAL PLAN

| CHAPTER 3. ELEMENTS OF THE LOCAL PLAN | Cross Reference | Page # where criteria can be located in Local Plan | Compliance Checklist |
|---|-----------------|--|----------------------|
| Article 1. 1 State Requirements | | | |
| 56205(b) (1) (A) Funds received in accordance with Chapter 7.2 (commencing with Section 56836). | | 45-46 | Yes () No () |
| 56205(b) (1) (B) Administrative costs of the plan. | | | Yes () No () |
| 56205(b) (1) (C) Special education services to pupils with severe disabilities and low incidence disabilities. | | | Yes () No () |
| 56205(b) (1) (D) Special education services to pupils with nonsevere disabilities. | | | Yes () No () |
| 56205(b) (1) (E) Supplemental aids and services to meet the individual needs of pupils placed in regular education classrooms and environments. | | | Yes () No () |
| 56205(b) (1) (F) Regionalized operations and services, and direct instructional support by program specialists in accordance with Article 6 (commencing with Section 56836.23) of Chapter 7.2. | | 30, 32 45 | Yes () No () |
| 56205(b) (1) (G) The use of property taxes allocated to the special education local plan area pursuant to Section 2572. | | 45 | Yes () No () |

CONTRA COSTA SELPA LOCAL PLAN

| CHAPTER 3. ELEMENTS OF THE LOCAL PLAN | Cross Reference | Page # where criteria can be located in Local Plan | Compliance Checklist |
|---|--|---|-----------------------|
| Article 1. 1 State Requirements | | | |
| <p>56205 (b) (2) An Annual Service Plan shall be adopted at a public hearing held by the special education local plan area. Notice of this hearing shall be posted in each school district in the special education local plan area at least 15 days prior to the hearing. The annual service plan may be revised during any fiscal year according to the policymaking process established pursuant to subparagraphs (D) and (E) and paragraph (12) of subdivision (a) and consistent with subdivision (f) of Section 56001 and with Section 56195.9. The annual service plan shall include a description of services to be provided by each district and county office, including the nature of the services and the physical location at which the services will be provided, including alternative schools, charter schools, opportunity schools and classes, community day schools operated by school districts, community schools operated by county offices or education, and juvenile court schools, regardless of whether the district or county office of education is participating in the local plan. This description shall demonstrate that all individuals with exceptional needs shall have access to services and instruction appropriate to meet their needs as specified in their individualized education programs.</p> | | <p>To be submitted one year after plan is approved by CDE</p> <p>37, 43</p> | <p>Yes () No ()</p> |
| <p>56205 (b) (3) A description of programs for early childhood special education from birth through five years of age.</p> | | 50 | Yes () No () |
| <p>56205 (b) (4) A description of the method by which members of the public, including parents or guardians of individuals with exceptional needs who are receiving services under the plan, may address questions or concerns to the governing body or individual.</p> | <p>56205 (b) (1) 56205 (b) (2)</p> | 29 | Yes () No () |
| <p>56205 (b) (5) A description of a dispute resolution process, including mediation and final binding arbitration to resolve disputes over the distribution of funding, the responsibilities for service provision, and the other governance activities specified within the plan.</p> | | 30 | Yes () No () |

CONTRA COSTA SELPA LOCAL PLAN

| CHAPTER 3. ELEMENTS OF THE LOCAL PLAN | Cross Reference | Page # where criteria can be located in Local Plan | Compliance Checklist |
|---|------------------------------------|--|----------------------|
| Article 1. 1 State Requirements | | | |
| 56207.5 A request by a charter school to participate as a local educational agency in a special education local plan area may not be treated differently from a similar request made by a school district. In reviewing and approving a request by a charter school to participate as a local educational agency in a special education local plan area, the following requirements shall apply: | | 28 | |
| 56207.5 (a) The special education local plan area shall comply with Section 56140. | | 28 | Yes () No () |
| 56207.5 (b) The charter school shall participate in state and federal funding for special education and the allocation plan developed pursuant to subdivision (i) of Section 56195.7 or Section 56836.05 in the same manner as other local educational agencies of the special education local plan area. | 56195.1 (f) 56203 | 28 | Yes () No () |
| 56207.5 (c) The charter school shall participate in governance of the special education local plan area in the same manner as other local educational agencies of the special education local plan area. | 56195.1 (f) 56203 | 28 | Yes () No () |
| <u>Reading Criteria:</u> In order to improve the educational results for students with disabilities, SELPA Local Plans shall include specific information to ensure that all students who require special education will participate in the California Reading Initiative. Further, SELPA Local Plans shall include assurances that special education instructional personnel will participate in staff development inservice opportunities in the area of literacy that includes: | State Board Requirement 2/10/99 | — | |
| a. Information about current literacy and learning research | | 48 | Yes () No () |
| b. State adopted standards and frameworks | | 48 | Yes () No () |
| c. Increased participation of students with disabilities in statewide student assessments | | 48 | Yes () No () |
| d. 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. | | 48 | Yes () No () |

CONTRA COSTA SELPA LOCAL PLAN

| CHAPTER 3. ELEMENTS OF THE LOCAL PLAN | Cross Reference | Page # where criteria can be located in Local Plan | Compliance Checklist |
|--|-----------------|--|----------------------|
| Article 1. 1 State Requirements | | | |
| Local Plans shall also include assurances that students with disabilities will have full access to: | | — | |
| a. All required core curriculum including state adopted core curriculum text books and supplementary text books | | 48 | Yes () No () |
| b. Instructional materials and support in order that students with disabilities attain higher standards in reading | | 48 | Yes () No () |

ASSURANCES

5. SED-LP 5 - LEA Assurance Statement



Contra Costa

Special Education Local Plan Area

2520 Stanwell Drive, Suite 270, Concord, California 94520
(925) 827-0949 FAX: (925) 825-1124

**SPECIAL EDUCATION LOCAL PLAN AREA LOCAL
EDUCATION AGENCY (LEA) ASSURANCE STATEMENT**

1. FREE APPROPRIATE PUBLIC EDUCATION (20 USC § 1412 (a)(1))

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

2. FULL EDUCATIONAL OPPORTUNITY (20 USC § 1412 (a)(2))

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

3. CHILD FIND (20 USC § 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 is developed and implemented to determine which students with disabilities are currently receiving needed special education and related services.

4. INDIVIDUALIZED EDUCATION PROGRAM (IEP) AND INDIVIDUALIZED FAMILY SERVICE PLAN (IFSP) (20 USC § 1412 (a)(4))

It shall be the policy of this LEA that an Individualized Education 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. It shall be the policy of this LEA that a review of an IEP will be conducted on at least an annual basis to review a student's progress and make appropriate revisions.

5. LEAST RESTRICTIVE ENVIRONMENT (20 USC § 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.

6. PROCEDURAL SAFEGUARDS (20 USC § 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.

7. EVALUATION (20 USC § 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.

8. CONFIDENTIALITY (20 USC § 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).

9. PART C, TRANSITION (20 USC § 1412 (a)(9))

It shall be the policy of this LEA that a transition process for a child who is participating in Early Intervention Programs (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.

10. PRIVATE SCHOOLS (20 USC § 1412 (a)(10))

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

11. LOCAL COMPLIANCE ASSURANCES (20 USC § 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 Individuals with Disabilities Education Act, the Federal Rehabilitation Act of 1973, Section 504 of Public Law and the provisions of the California Education Code, Part 30.

12. INTERAGENCY (20 USC § 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 FAPE are provided, including the continuation of services during an interagency dispute resolution process.

13. GOVERNANCE (20 USC § 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 USC § 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 CDE about staff qualifications.

15. PERFORMANCE GOALS & INDICATORS (20 USC § 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 USC § 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/FEDERAL FUNDS (20 USC § 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 those funds.

18. MAINTENANCE OF EFFORT (20 USC § 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 law and regulations.

19. PUBLIC PARTICIPATION (20 USC § 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 USC § 1412 (a)(20))
(Federal requirement for State Education Agency only)

21. STATE ADVISORY PANEL (20 USC § 1412 (a)(21))
(Federal requirement for State Education Agency only)

22. SUSPENSION/EXPULSION (20 USC § 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 USC § 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 USC § 1412 (a)(24))

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

25. PROHIBITION ON MANDATORY MEDICINE (20 USC § 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 USC § 1411(e),(f)(1-3))
(Federal requirement for State Education Agency only)

27. DATA (20 USC § 1418 a-d)

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

28. READING LITERACY (State Board requirement, 2/99)

It shall be the policy of this LEA that in order to improve the educational results for students with disabilities, SELPA Local Plans shall include specific information to ensure that all students who require special education will participate in the California Reading Initiative.

29. CHARTER SCHOOLS (E.C. 56207.5 (a-c))

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

In accordance with Federal and State laws and regulations, Contra Costa SELPA certifies that this plan has been 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 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 USC 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.

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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 _____ day of _____, 20_____.

Yeas: _____ Nays: _____

Signed: _____, Superintendent,
Secretary to the Board of Education

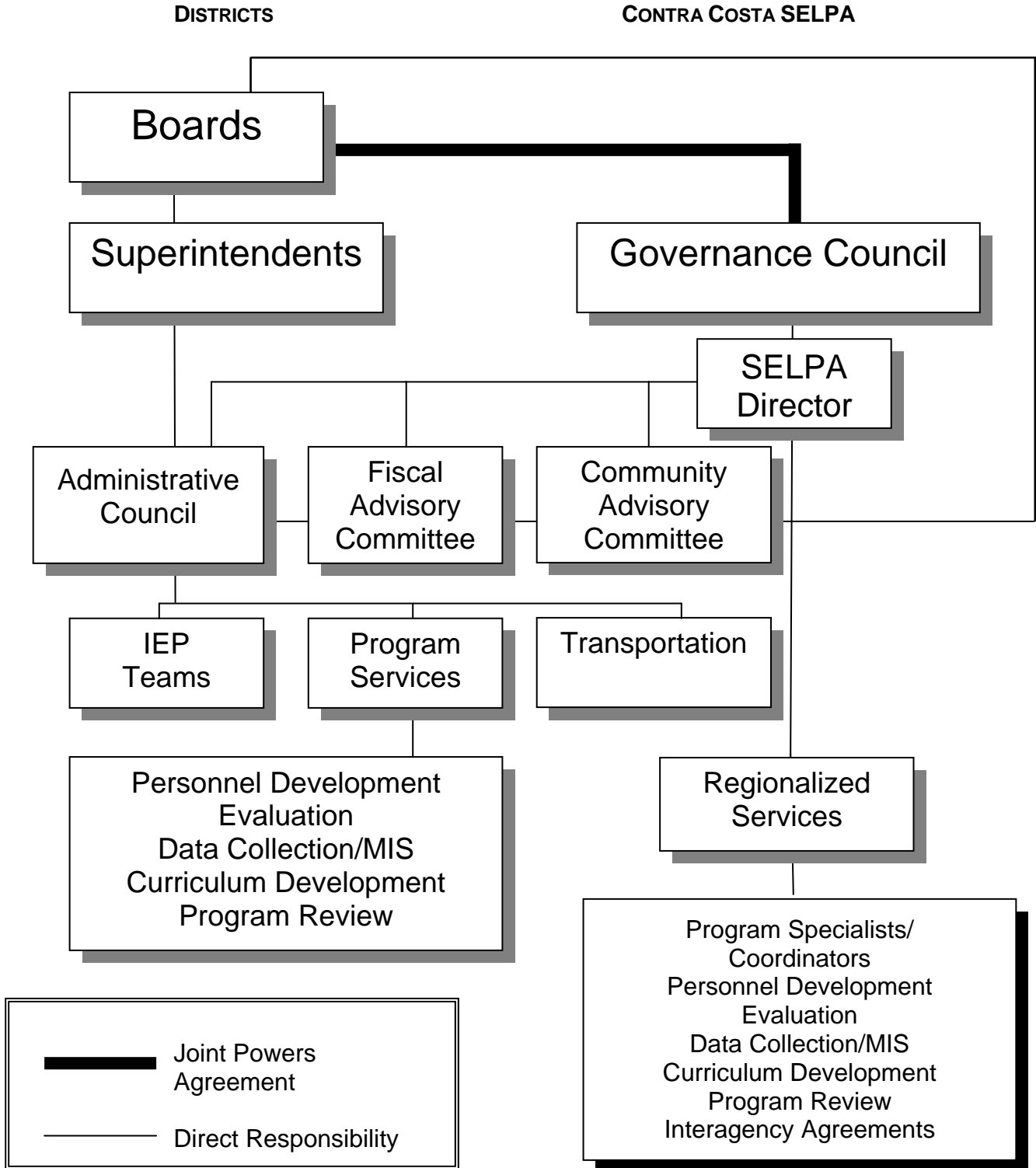
Signed copies of Assurances are on file in the SELPA office and CDE for participating members of the SELPA.

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GOVERNANCE/JOINT POWERS AGREEMENT

Contra Costa SELPA

GOVERNANCE MODEL
Organization Chart



CONTRA COSTA SELPA LOCAL PLAN

PURPOSE AND INTENT:

The following Contra Costa County public school agencies:

ACALANES UNION HIGH SCHOOL DISTRICT
ANTIOCH UNIFIED SCHOOL DISTRICT
BRENTWOOD UNION SCHOOL DISTRICT
BYRON UNION SCHOOL DISTRICT
CANYON SCHOOL DISTRICT
CONTRA COSTA COUNTY OFFICE OF EDUCATION
JOHN SWETT UNIFIED SCHOOL DISTRICT
KNIGHTSEN SCHOOL DISTRICT
LAFAYETTE SCHOOL DISTRICT
LIBERTY UNION HIGH SCHOOL DISTRICT
MARTINEZ UNIFIED SCHOOL DISTRICT
MORAGA SCHOOL DISTRICT
OAKLEY UNION SCHOOL DISTRICT
ORINDA UNION SCHOOL DISTRICT
PITTSBURG UNIFIED SCHOOL DISTRICT
WALNUT CREEK SCHOOL DISTRICT

join together to adopt a plan in accordance with California Education Code to assure access to special education and services for all individuals with exceptional needs residing in the geographic area served by these districts hereafter known as the Contra Costa Special Education Local Plan Area (Contra Costa SELPA). In adopting the completed plan, each participating Local Education Agency (LEA) agrees to carry out the duties and responsibilities assigned to it within the plan. Participating agencies may enter into additional contractual arrangements to meet the requirements of applicable federal and state law. (56195)

A. DESCRIPTION OF GOVERNANCE STRUCTURE

GENERAL DESCRIPTION [56205 (a)(12)(A) 56205(a)(12)(D)(i)]

The Contra Costa SELPA is comprised of fifteen school districts and the Contra Costa County Office of Education (Local Education Agencies or LEAs) who have joined in a cooperative effort to provide for the coordinated delivery of programs and services and assurance of equal access to such programs and services to eligible persons with disabilities requiring special education in the services region. The Byron Union School District is designated as the Administrative Unit (AU) for the Contra Costa SELPA. It shall be responsible for functions such as, but not limited to:

1. Receipt and distribution of funds including Regionalized Services and Program Specialist revenues to accounts exclusively designated for SELPA use.
2. Provision of designated services as specified in the "Agreement for Services as Administrative Unit."

Through a Joint Powers Agreement (JPA), the Contra Costa SELPA participants designate a Governance Council which shall be the governing body of the Contra Costa SELPA. The SELPA staff implements the policies and decisions of the Governance Council. The bylaws are incorporated in the Policies of the Governance Council. Official SELPA documents once referenced in policy are an extension of Governance Council Policy upon adoption and are of equal authority as other forms of policies that are approved by the Governance Council as provided in the Joint Powers Agreement. The Policies document is provided to establish direction for all aspects of the Contra Costa SELPA's function. One example, the Procedural Guidelines, include uniform practices to be used by all staff in the provision of special education programs and services in compliance with the law and mutual agreement through the Local Plan.

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COMPOSITION AND ORGANIZATION OF THE GOVERNANCE COUNCIL

1. The Contra Costa Special Education Local Plan Area (Contra Costa SELPA) is governed by a Governance Council composed of six (6) voting superintendents from member LEAs and one (1) non-voting representative from the Community Advisory Committee.
2. Representation on the Governance Council is Superintendents from the following:
 - Contra Costa County Office of Education** - Superintendent of Schools for Contra Costa County
 - Antioch Unified School District** - Superintendent of Antioch Unified School District.
 - Pittsburg Unified School District** - Superintendent of Pittsburg Unified School District.
 - Acalanes, Walnut Creek, Moraga, Orinda, Lafayette, and Canyon School Districts** - one Superintendent appointed by a joint committee of superintendents of those Districts.
 - Oakley, Liberty, Brentwood, Byron and Knightsen School District** - one Superintendent appointed by a joint committee of superintendents of those Districts.
 - John Swett and Martinez School Districts** - one Superintendent appointed by a joint committee of superintendents of those Districts.
 - Total Voting Members** - six (6) - No member shall have more than one vote.
3. Members shall be appointed for one year, but may be re-appointed to additional terms. The annual term shall be from July 1 to June 30, although appointments or selection of substitute superintendent by the same region superintendent may occur at any time as provided above.
4. The Contra Costa SELPA Director shall serve as the Chief Executive Officer, and report directly to the Governance Council. The Contra Costa SELPA Director will have a non-voting status on the Governance Council.
5. A quorum shall consist of four voting members; a simple majority is necessary for a decision. An absent member may appoint another member of the six-person council to cast a proxy vote for the absent member. In the event of a tie vote, a special meeting shall be called with all 16 member LEA superintendents with a simple majority deciding the outcome. In the event of a tie with all 16 member superintendents, taking yeas and nays, the prior year October CBEDs will be totaled on each side with a simple majority deciding.
6. The Governance Council shall meet not less than four times per school year. Additional meetings may be called at the request of any representative of the Governance Council pursuant to adopted policies. The Contra Costa SELPA Director shall be responsible for preparing the agenda and all support materials for each meeting, and serve as secretary to the Council.
7. The Governance Council will elect a chairperson and vice- chairperson from their members. The term of office shall be one year. Each of these officers shall serve at the pleasure of the Governance Council until a successor is elected. Elections are held the last meeting of the fiscal year or as scheduled by Governance Council action. New officers are to take office at the first meeting of the new fiscal year.
8. The functions of the Governance Council consist of the adoption of policies designed to give direction to the Contra Costa SELPA in the areas of, but not limited to, personnel, budget, policy, and contracts. The Governance Council shall evaluate the performance of the Contra Costa SELPA Director and shall receive ongoing assessment reports on Contra Costa SELPA staff and LEA programs and services from the Contra Costa SELPA Director.
9. All meetings of the Governance Council shall be held according to law.
10. The Community Advisory Committee may elect one of its members to serve on the Council for one year as a non-voting member.

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REQUEST FOR SELPA MEMBERSHIP: LEAs AND CHARTER SCHOOLS 56207.5, 56207.5(a), 56207.5(b), 56207.5 (c)

A request by a LEA or a charter school to participate, as a local educational agency in the Contra Costa SELPA special education local plan will not be treated differently from a similar request made by a school district. In reviewing and approving a request by a LEA or a charter school to participate as local educational agency in the Contra Costa SELPA, the following requirements shall apply:

The LEA or charter school shall participate in state and federal funding for special education and the allocation plan developed in the same manner as other local educational agencies of the SELPA.

The LEA or charter school shall participate in the governance of the SELPA in the same manner as other local educational agencies of the SELPA.

The approval of additional members to the Contra Costa SELPA by the Governance Council shall be followed by a redrafting of a new local plan and action by each member's governing body.

RESPONSIBILITY OF PARTICIPATING AGENCIES

[56205(a)(12)(D)(i); 56205(a)(12)(D)(ii)(III)]

Each participating LEA is responsible for implementing those services assigned to the local agency herein and provided for in local budget plans. Each LEA provides assigned programs and services through its own facilities and staff.

However, when an LEA is unable to provide an appropriate program for an individual pupil, that LEA shall, in cooperation with the SELPA Program Specialists, arrange for an appropriate placement, through an Individualized Education Program Team, in a Contra Costa program, in another LEA within the Contra Costa SELPA. If such placement is not possible, the Contra Costa SELPA Director will assist the district in a placement outside of the Contra Costa SELPA. The Contra Costa County Office of Education shall perform the services of an LEA for persons with disabilities residing in Juvenile Court Schools in the Contra Costa SELPA.

The Contra Costa County has more than one Local Plan area and the Contra Costa COE provides special education services to more than one SELPA, therefore relevant provisions of contracts between the County Office and its' employees governing wage, hours, and working conditions shall supersede any like provisions contained in the Contra Costa Local Plan.

When the district of residence is an elementary school district, the fiscal and case management responsibilities for an identified student will transfer to the high school district of residence when the student reaches 14.9 years of age on or before September 1, of each new school year unless previously graduated from eighth grade or previously transferred by an IEP team decision. This transfer will occur regardless of the district or agency providing the special education service(s). However, extended school year services will be the fiscal and case responsibility of the elementary school district for the transition year.

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LEA BOARDS OF EDUCATION [56205(a)(12)(A), 56205(a)(12)(D)(i)]

LEA Boards shall:

1. Exercise authority over, assume responsibility for, and be fiscally accountable for special education programs operated by the LEA.
2. Enter into a Joint Powers Agreement with other LEAs participating in the plan, for purpose of delivery of services and programs.
3. Review and approve revisions of the Contra Costa SELPA Local Plan for Special Education.
4. Participate in the governance of the Contra Costa SELPA through their designated representative to the Governance Council.
5. Appoint members to the Community Advisory Committee.

SELPA POLICY

Procedures for Development:

[56205 (a) (12) (B), 52605 (a) (D) (ii) (III), 56205(b)(4)] 56205(a)(D)(i), 56205(a)(D)(ii), 56205(a)(D)(ii)(I)]

Policies governing the Contra Costa SELPA shall be adopted by the Governance Council and are included as part of the Local Plan. The Council shall be advised by the Contra Costa SELPA Director who shall, in turn, be advised by the Special Education Administrative Council, and the Community Advisory Committee (CAC). Input may be received from parents, staff, public and non-public agencies and members of the public at large. Individuals wishing an opportunity to address the Council on a particular agenda item or have the council consider a topic is invited to complete a Request to Address Governance Council form which is available at the SELPA office. The Governance Council shall review the Contra Costa SELPA Local Plan and recommend modifications as necessary. All such modifications shall be subject to appropriate statutory and locally defined input process prior to incorporation in this plan. The Contra Costa SELPA Director, with the Special Education Administrative Council, shall assist the Governance Council with these reviews.

The Governance Council shall be the policy making body for the Contra Costa SELPA and its member LEAs. The policies agreements, regulations and procedures adopted by the Governance Council under the authority of the adopting LEA board have the same status as other LEA board policy and may be contained in a variety of documents approved by the Governance Council. [56205(a)(12)(D)(ii)(I-II)]

The Governance Council shall:

- Develop a Joint Powers Agreement to define operations of the SELPA
- Coordinate and implement the Contra Costa SELPA Local Plan
- Adopt policy for the Contra Costa SELPA
- Appoint a Contra Costa SELPA Director
- Evaluate the Contra Costa SELPA Director
- Approve an agreement with Administrative Unit for services
- Adopt an operations budget for the Contra Costa SELPA including regionalized services and program specialist funds at an annual cost not to exceed the available funds for such service
- Approve interagency agreements
- Approve the Annual Budget and Allocation Plan for submission to the state
- Approve the Annual Service Plan for submission to the state
- Monitor compliance as required by law
- Provide for an annual audit of all income and expenditures, as required by law

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- Receive recommendations from the CAC, Administrative Council, LEA Boards, and other concerned agencies and individuals
- Decide disputes, if any, between participating LEAs that arise concerning special education related matters or related to the interpretation of the Local Plan or Joint Powers Agreement (JPA), and other agreements or policies between or among the LEAs

LEA Responsibilities: Policies Addressing LEA Responsibilities shall include but not be limited to:

- Child Find
- Procedural safeguards
- Records and report requirements
- Programs and services
- Students and eligibility criteria
- Uniform procedures for notification, identification, referral, assessment, Individualized Education Plan (IEP) development, implementation, and review, and placement
- Transportation
- Complaints and hearings
- Private Schools
- Personnel Standards
- Participation in state/district-wide assessments
- Hospital/Foster/LCI/Juvenile Court schools
- Equipment and services
- Consideration of general education resources after referral

Regionalized Services: Policies Addressing Regionalized Services shall include but not be limited to:
[56205(a)(12)(B)]; 56205(b)(1)(F)]

- Interagency coordination and development of agreements
- Non-public school/agency coordination and development of master contracts including rate setting on behalf of member LEAs and uniform procedures for individual service agreements
- Provision of Program Specialist service
- Evaluation, program review, and data collection as required
- Curriculum and program development, as required
- Provision of SELPA personnel and employment standards
- Provision of regionalized staff development
- Resource acquisition
- Resource allocation and distribution according to policy
- Dispute resolution to support parents and LEAs in solving conflict
- Coordination of necessary services
- Other responsibilities as assigned by Governance Council

Allocation of Resources:

The Contra Costa SELPA Director shall allocate all resources granted to the Special Education Local Plan Area pursuant to Education Code. Resources will be allocated in accordance with policy and procedures adopted by the Governance Council.

Disputes Among Members:
[56205(b)(5)]

Should disputes arise concerning special education related matters or related to the interpretation of this plan between or among the LEAs regarding the scope of the JPA or interpretation of the Local Plan or other matters pertaining to special education, the disputing LEAs shall first attempt to arrive at a settlement. If settlement is not

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reached at the LEA level, the Contra Costa SELPA Director shall mediate the dispute. Any dispute not successfully resolved by the Contra Costa SELPA Director shall be referred to the Governance Council.

The Governance Council shall hear the facts of the dispute and shall render a written decision on the matter which shall be binding on the parties.

B. ADMINISTRATIVE FUNCTIONS [56205(a)(12)(D)(ii); 56205(a)(12)(B)]

1. SELECTION OF RESPONSIBLE LOCAL AGENCY (RLA) SERVING AS THE ADMINISTRATIVE UNIT (AU) FOR THE SELPA AND THE JOINT POWERS AGENCY AND EMPLOYMENT OF SELPA STAFF

The Byron Union School District shall serve as the Responsible Local Agency (RLA) serving as the Administrative Unit (AU) for SELPA and the joint powers agency. Should the Governance Council determine to designate a different agency as the AU or should the Byron Union School District choose not to serve as the AU, the Governance Council or the Byron Union School District, whichever party seeks the change, shall notify the other party of its decision by the January 1 preceding the fiscal year when the change will be effected. In any fiscal year should the Governance Council choose to contract with an agency other than the AU to perform some or all of the services which the AU has been performing, it shall notify the AU by the January 1 preceding the fiscal year when the change will be effected. An agreement for services as the AU shall be drawn to define the role and function of the AU.

2. CONTRA COSTA SELPA DIRECTOR [56205(a)(12)(D)(ii)]56205(a)(12)(B),56205(a)(12)(D)(ii)(V)

The Contra Costa SELPA Director shall serve as the chief administrator of the SELPA to operate the JPA on behalf of the member LEAs and implement the Local Plan for Special Education:

The Contra Costa SELPA Director shall:

1. Provide overall coordination of the Local Plan and JPA implementation.
2. Serve as the Chief Executive Secretary to the Governance Council.
3. Arrange for meetings, establish agendas, and record minutes as appropriate for the Governance Council.
4. Implement the regionalized services of the SELPA:
 - a. Administer staff development programs.
 - b. Coordinate program review.
 - c. Supervise data collection, information management and reporting.
 - d. Coordinate curriculum and program development.
 - e. Coordinate ongoing monitoring of Local Plan implementation through program review.
 - f. Assign, supervise and evaluate Program Specialists and other SELPA staff.
 - g. Other matters related to the representation and operation of the SELPA.
5. Conduct the business operations for the Contra Costa SELPA.
6. Hire, supervise, evaluate and discipline staff employed by the SELPA in support of the Local Plan. [56205(a)(12)(D)(ii)(I)]
7. Assist in the development of the annual budget plan and annual SELPA operations budget.
8. Allocate and distribute funds to LEAs for the operation of special education programs and services in accordance with policy.
9. Coordinate the funds for low incidence services, equipment and materials in accordance with established procedures.
10. Complete reports for the Contra Costa SELPA and individual districts in accordance with State priorities criteria, and Education Code Sections.
11. Apply for discretionary funds and other grants that become available to the Contra Costa SELPA.
12. Monitor the appropriate use of federal, state, and local funds allocated for special education programs. [56205 (a)(12)(D)(ii)(IV)]

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13. Prepare and submit to the State Department of Education all reports required for the Contra Costa SELPA. [56205(a)(12)(D)(ii)(V)]
14. Assist in the development and coordinate the implementation of agreements and contracts with non-public school agencies providing services to exceptional students.
15. Assist in the development and coordinate the implementation of agreements with other SELPAs and agencies.
16. Assist in the identification of special education program and service needs for the Contra Costa SELPA.
17. Request input from the LEAs regarding regionalized and program specialist services.
18. Coordinate and facilitate the establishment of Contra Costa SELPA standards, procedures, processes and regulations for the implementation of the Local Plan.
19. Participate or designate appropriate personnel to participate in IEP Team meetings for students considered for placement in other LEAs, other SELPAs, and/or non-public school placements.
20. Provide technical assistance to LEA administrators. Serve as Chairperson of the Administrative Council.
21. Provide technical assistance to LEAs in due process and complaint procedures and represent or designate appropriate personnel to represent the SELPA in due process and complaint procedures.
22. Act as a liaison between and among the Contra Costa SELPA, the State Department of Education, the Governance Council, the Special Education Administrative Council, the Community Advisory Committee, Federal Departments and elected government officials.
23. Update Governance Council and Administrative Council on legislative changes, proposal, trends, and related concerns.
24. Provide leadership for Special Education with the Contra Costa SELPA.

3. PROGRAM SPECIALIST SERVICES [56205(1)(12)(B)]

In the Contra Costa SELPA, Program Specialist services may be provided as part of the Regionalized Services.

Program Specialists provide a range of services to include:

1. Observing, consulting with, and assisting regular and special education staff.
2. Planning programs, coordinating curricular resources, and evaluating the effectiveness of programs for individuals with exceptional needs.
3. Assisting with staff development, program development, and innovation of special methods and approaches.
4. Supporting the assurance that pupils have full educational opportunity regardless of the district of residence.
5. Working on a consultative basis with principals and administrators who operate special education programs.
6. Coordinating placement of students outside their district of residence.
7. Assisting with dispute resolution and legal compliance.
8. Serving as liaison and consultant to other professionals, appropriate agencies and the community.

A Program Specialist will be considered a pupil service employee as defined in the Education Code. Program Specialists' assignments will be made by the Contra Costa SELPA Director in consultation with District Special Education Administrators who will consider the following:

- Program needs
- Over-all needs of the Contra Costa SELPA
- Equitable distribution of service

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4. SPECIAL EDUCATION ADMINISTRATIVE COUNCIL [56205(a)(12)(D)(i)]

1. The coordination and implementation of the Contra Costa Special Education Local Plan shall be the responsibility of the Contra Costa SELPA Special Education Administrative Council. This Council shall be composed of the Special Education Administrators from each of the fifteen (15) participating Districts and the County Office of Education in the Local Plan Area.
2. The Contra Costa SELPA Director is an ex-officio member and serves as Chair of the Council.
3. The Council shall meet monthly during the school year or as needed.
4. The Administrative Council shall be responsible for implementing policies of the Governance Council and for carrying out the day-to-day operations of the LEA program.
5. The Special Education Administrative Council makes recommendations to the Contra Costa SELPA Director regarding the development of policies and regulations, as well as the general operations of the SELPA. These recommendations are to include, but not be limited to, the following:
 - a. The establishment of priorities for the provision of services.
 - b. The modification of the Local Plan.
 - c. The development of the Contra Costa SELPA budget.
 - d. The evaluation of Personnel Development activities.
 - e. The development of the resource allocation policies.
 - f. The development of the service delivery policies.
6. In addition, the Special Education Administrative Council will be responsible for:
 - g. Coordination of SELPA provided regionalized services with LEA services.
 - h. Coordination of student and program placement.
 - i. Coordination of transportation services.
7. The Administrative council and/or the SELPA Director may create standing committees to assist with these recommendations.

The Special Education Administrative Council may be assigned other responsibilities by the Governance Council.

5. COMMUNITY ADVISORY COMMITTEE (CAC) [56205(a)(12)(C)]

The Contra Costa SELPA Community Advisory Committee (CAC) is comprised of parents of persons with disabilities enrolled in public or non-public schools within the Contra Costa SELPA and may include pupils and adults with disabilities; general education teachers, special education providers, and other school personnel within the Contra Costa SELPA; representatives of other public and non-public agencies, and persons concerned with the education of persons with disabilities. The school boards of the participating Local Education Agencies (LEAs) shall appoint one member and alternates to the CAC. The Governance Council shall establish policies for the operation of the CAC according to the state regulations for CAC responsibilities.

6. FISCAL ADVISORY COMMITTEE

1. The Contra Costa Special Education Local Plan Area Fiscal Advisory Committee shall review, develop, and recommend fiscal policy to the Contra Costa SELPA Director and implement subsequent Governance Council decisions. This Committee shall be composed of the Special Education Administrators and Business Officials from the regions represented by superintendents on the Governance Council.
2. The Contra Costa SELPA Director is an ex-officio member and serves as Chair of the Committee.
3. The Committee shall meet four times during the school year with additional meetings scheduled as necessary.
4. The duties of the Fiscal Advisory Committee include, but are not limited to, the following:
 - a. Establish a schedule of meetings for the year and calendar additional meetings as necessary.
 - b. Monitor utilization of funds; provide information and recommendations to the SELPA Director for the development, modification and implementation of the SELPA funding allocation policy.

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- c. Review and make recommendations to the SELPA Director regarding decisions which impact the finances of Local Education Agencies.
 - d. Solicit, initiate or review fiscal reports and audits and recommend appropriate action to the SELPA Director.
 - e. Review and make recommendations to the SELPA Director regarding the annual budget.
 - f. Monitor SELPA revenues and expenditures
5. The Fiscal Advisory Committee and/or the SELPA Director may create standing committees to assist with these recommendations.

The Fiscal Advisory Committee may be assigned other responsibilities by the Governance Council.

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JOINT EXERCISE OF POWERS AGREEMENT [56205(a)(13)]

A. PARTIES

This Joint Powers Agreement (“Agreement”) is made by and between each Local Education Agency (LEA), including their respective Boards of Education, listed below and hereinafter individually and collectively referred to as “party” and “parties” respectively:

- Acalanes Union High School District
- Antioch Unified School District
- Brentwood Union School District
- Byron Union School District
- Canyon School District
- John Swett Unified School District
- Knightsen School District
- Lafayette School District
- Liberty Union High School District
- Martinez Unified School District
- Moraga School District
- Oakley Union School District
- Orinda Union School District
- Pittsburg Unified School District
- Walnut Creek School District
- Contra Costa County Office of Education

B. PURPOSE

The purpose of this Joint Powers Agreement (JPA) is to provide for the joint operation of the Contra Costa Special Education Local Plan Area (Contra Costa SELPA), an agency which is separate from the parties to this Agreement. This agency shall designate an Administrative Unit (AU) to provide services for the Contra Costa SELPA. The roles and responsibilities of the AU shall be defined in a written agreement.

C. AUTHORITY

This Joint Powers Agreement is entered into pursuant to Education and Government Codes.

D. ADMINISTRATION AND GOVERNANCE

1. The parties hereto hereby create the Contra Costa SELPA, which will be a separate public agency responsible for administering the Agreement and the Local Plan.
2. The Contra Costa SELPA shall be governed by the Governance Council, which shall be comprised of six voting superintendents from member Local Educational Agencies (LEA) and one non-voting SELPA Community Advisory Committee (CAC) representative.
3. The CAC may elect one of its members to serve on the Council for one year as a non-voting member.
4. The composition of the voting membership of the Council will be as follows:

| | |
|--|---|
| Acalanes/Canyon/Lafayette/Moraga/Orinda/Walnut Creek | 1 |
| Antioch | 1 |
| Brentwood/Byron/Knightsen/Liberty/Oakley | 1 |
| John Swett/Martinez | 1 |

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| | |
|---------------------|----------|
| Pittsburg | 1 |
| Contra Costa County | 1 |
| Total | 6 |

5. Members shall be appointed for one year, but may be re-appointed to additional terms. Annual term shall be from July 1 to June 30, although appointments or selection of substitute superintendent by the same region superintendent may occur at any time as provided above.
6. The Contra Costa SELPA Director shall serve as the Chief Executive Officer, and report directly to the Governance Council. The Contra Costa SELPA Director will have a non-voting status on the Governance Council.
7. The Governance Council shall meet not less than four times per school year. Additional meetings may be called at the request of any representative of the Governance Council pursuant to adopted policies. The Contra Costa SELPA Director shall be responsible for preparing the agenda and all support materials for each meeting, and serve as secretary to the Council. A quorum shall consist of four voting members.
8. The Governance Council will elect a chairperson and vice- chairperson from their members. The term of office shall be one year. Each of these officers shall serve at the pleasure of the Governance Council until a successor is elected. Elections are held the last meeting of the fiscal year or as scheduled by Governance Council action. New officers are to take office at the first meeting of the new fiscal year.
9. The functions of the Governance Council consist of the adoption of policies designed to give direction to the Contra Costa SELPA in areas including, but not limited to, matters of personnel, budget, policy, and contracts. The Governance Council shall evaluate the performance of the Contra Costa SELPA Director and shall receive ongoing assessment reports on Contra Costa SELPA staff and LEA programs and services from the Contra Costa SELPA Director.
10. All meetings of the Governance Council shall be held according to law.

E. AUDITING AND ACCOUNTING SERVICES

The Auditor-Controller of Contra Costa County, the Contra Costa County Superintendent of Schools and the Treasurer of Contra Costa County shall perform the Auditor-Controller and Treasurer functions prescribed by Government Code Sections 6505 and 6505.5 in the same manner that they perform these functions for school districts. The approval of demands for which the County Superintendent of Schools shall draw warrants shall be performed in accordance with the policies and procedures adopted by the Governance Council, subject to the review and approval of the County Superintendents of Schools, as required by Education Code Sections 42633 and following. There shall be strict accountability of all funds. All revenues and expenditures shall be reported to the Governance Council. The SELPA Director shall have the responsibility of authorizing disbursements and entering into agreements on behalf of the Contra Costa SELPA.

F. POWERS OF THE CONTRA COSTA SELPA [56205(a)(12)(D)(ii)(I)]

The Contra Costa SELPA's powers shall include but are not limited to the following:

1. To make and enter into contracts.
2. To employ agents or employees or to utilize the services of personnel of the parties when such services are offered by the parties.
3. To acquire, construct, manage, maintain or operate any buildings, work or improvements.
4. To acquire, hold or dispose of property.
5. To sue and be sued in its own name.
6. To incur debts, liabilities or obligations.
7. To apply for, accept, receive, and disburse funds and grants from any agency of the United States of America, the State of California, or any other public agency.

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8. To invest any money pursuant to the Government Code Section 6505.5 that is not required for the immediate activities of the Contra Costa SELPA, as the Governance Council determines is advisable, in the manner and on the same conditions as local agencies, pursuant to Government Code Section 53601.
9. To adopt policies governing the operations of the Contra Costa SELPA as outlined in the Local Plan.
10. To carry out and enforce all the provisions of this Agreement.

The powers listed above shall be exercised in the manner provided in the law and be subject only to the restrictions upon the manner of exercising such powers as are imposed upon LEAs in the exercise of such power.

G. POWERS OF LEAs [56205(a)(12)(D)(i)]

The governance of LEA special education programs shall be the responsibility of LEA governing boards. LEA governing boards shall have and retain authority to receive and budget all special education income allocated by the Governance Council to LEAs for programs and services provided by LEAs in accordance with the Local Plan, SELPA policies, State and Federal regulations.

H. FUNCTION OF THE CONTRA COSTA SELPA [56205(a)(12)(D)(ii), 56205(b)(2)]

The Contra Costa SELPA shall be responsible for the following:

1. In conjunction with the LEAs who are parties to this Agreement, develop a local plan for the education of individuals with exceptional needs in accordance with the requirements of State and Federal laws
2. Coordinate the implementation of the Local Plan.
3. The Governance Council shall be the policy making body for the Contra Costa SELPA and its member LEAs. The policies and procedures adopted by the Governance Council under the authority of the adopting LEA board have the same status as other LEA board policy.

The Governance Council shall:

- Develop a Joint Powers Agreement to define the operations of the SELPA
- Coordinate and implement the Contra Costa SELPA Local Plan
- Adopt policy for the Contra Costa SELPA
- Appoint a Contra Costa SELPA Director
- Evaluate the Contra Costa SELPA Director
- Approve an agreement with the Administrative Unit for services
- Adopt an operations budget for the Contra Costa SELPA including regionalized services and programs specialists funds at an annual cost not to exceed the available funds for such service
- Approve interagency agreements
- Approve the Annual Budget and Allocation Plan for submission to the state
- Approve the Annual Service Plan for submission to the state
- Monitor compliance as required by law
- Provide for an annual audit of all income and expenditures, as required by law
- Receive recommendations from the CAC, Administrative Council, LEA Boards, and other concerned agencies and individuals
- Decide disputes, if any, between participating LEAs that arise concerning special education related matters or related to the interpretation of the Local Plan or this JPA, and other agreements or policies between or among the LEAs

Policies Addressing LEA Responsibilities shall include but not be limited to:

- Child Find

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- Procedural safeguards
- Records and report requirements
- Programs and services
- Students and eligibility criteria
- Uniform procedures for notification, identification, assessment, Individualized Education Plan (IEP) development, implementation, and review, and placement
- Transportation
- Complaints and hearings
- Private Schools
- Personnel Standards
- Participation in state/district-wide assessments
- Hospital/Foster/LCI/Juvenile Court schools
- Equipment and services
- Consideration of general education resources after referral

Policies Addressing Regionalized Services shall include but not be limited to:

- Interagency coordination and development of agreements
- Non-public school/agency coordination and development of master contracts including rate setting on behalf of member LEAs and uniform procedures for individual service agreements
- Provision of Program Specialist service
- Evaluation, program review, and data collection as required
- Curriculum and program development, as required
- Provision of SELPA personnel and employment standards
- Provision of regionalized staff development
- Resource acquisition
- Resource allocation and distribution according to policy
- Dispute resolution to support parents and LEAs in solving conflict
- Coordination of necessary services
- Other responsibilities as assigned by the Governance Council

4. The SELPA Director is authorized by the Governance Council to implement Contra Costa SELPA Policies and Regulations and specific Governance Council actions on behalf of the Governance Council and the Contra Costa SELPA. These responsibilities include but are not limited to the signing of official documents, State reports and authorization of expenditure.
[56205(a)(12)(D)(ii)]

I. ANNUAL BUDGET PLAN [56205(a)(12)(D)(ii)(II)]

In addition to the powers and responsibilities prescribed above, the Contra Costa SELPA Governance Council shall, on behalf of the parties to this Agreement, develop an Annual Budget Plan for Local Plan activities as required by Education Code and conduct the required public hearing. The budget plan shall include provisions setting forth the manner and level to which the LEAs shall be funded. The Annual Budget Plan shall also provide for the expenditure and distribution of all resources and funds under the scope of the JPA or Local Plan.

J. OBLIGATIONS OF THE CONTRA COSTA SELPA

The Contra Costa SELPA is an independent public entity. Except as provided in paragraph N, entitled Liability and Indemnification, the duties, liabilities and obligations of the Contra Costa SELPA and the AU, when the AU is acting on behalf of the Contra Costa SELPA, do not constitute the duties, liabilities and obligations of the parties.

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K. AUTHORITY AND RESPONSIBILITIES OF THE PARTIES [56205(a)(12)(D)(i)]

Each LEA shall have authority over special education programs operated by that LEA. Each LEA shall cooperate with the Contra Costa SELPA and its Governance Council in the development of the Local Plan and in the review and approval of revisions to said Plan.

L. SPECIAL EDUCATION ADMINISTRATORS [56205(a)(12)(D)(i)]

Each LEA shall designate a Special Education Administrator from among its staff to act as the primary contact person for the district with the Contra Costa SELPA. The Special Education Administrator shall advise and consult with the SELPA Director through the Special Education Administrative Council. Persons designated as Special Education Administrators need not be serving in an administrative capacity with the LEAs or possess an administrative credential.

M. PERSONS HAVING ACCESS TO PROPERTY

The public officers or persons who have charge of, handle, or have access to any revenue or property of the Contra Costa SELPA shall be the Treasurer of Contra Costa County, the County Superintendent of Schools, the Contra Costa SELPA Director, designated AU, and any other officers or persons to be designated or empowered by the Governance Council.

N. LIABILITY AND INDEMNIFICATION

Pursuant to the provisions of California Government Code sections 895 et seq.;

1. Each party hereto agrees to indemnify, defend, and hold harmless each other party, including its officers, employees, governing board members, and agents from every expense, cost, loss, claim, demand suit, action, judgment, liability or payment, including, but not limited to attorneys' fees or costs (referred to collectively as "loss" in paragraphs 2 and 3, below) arising from or relating to any injury or damages caused by any negligent or wrongful act or omission of any agent, officer, governing board member, and/or employee of a party which occurs or arises out of the performance of this Agreement.
2. If an agent, officer, and/or employee of the Contra Costa SELPA is assigned by the SELPA to act on behalf of a particular party, the party to whom the agent, officer, and/or employee is assigned agrees to indemnify, defend, and hold harmless the Contra Costa SELPA from every loss arising from or relating to any injury or damages caused by any negligent or wrongful act or omission of the assigned agent, officer, and/or employee of the Contra Costa SELPA.
3. The Contra Costa SELPA agrees to indemnify, defend, and hold harmless each party and its officers, employees, governing board members and agents from every loss arising from or relating to any injury or damages caused by a negligent or wrongful act or omission of any agent, officer, and/or employee of the Contra Costa SELPA, or of the Governance Council and/or each member thereof, or of the AU, when acting on behalf of the Contra Costa SELPA, which occurs or arises out of the performance of this Agreement, to the extent such loss is fully covered by insurance as set forth in subparagraph (2) above.

In the event of an uninsured loss, which shall include, but not be limited to loss resulting from deductibles, uninsured occurrences, exclusions/exemptions, or policy limits, each party hereto agrees to defend, indemnify and hold harmless the Contra Costa SELPA, its agents, officers and/or employees, the Governance Council and each member thereof, and the AU, when acting on behalf of the Contra Costa SELPA, for such uninsured loss.

A party's share of the uninsured loss shall be proportional to each party's share of average daily attendance for the previous school year shown on the California Department of Education annual report of attendance forms J-18-A and J-19-A. Such contribution by a party shall constitute complete satisfaction of a party's obligations under this Paragraph N.

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O. INSURANCE

1. Each party shall insure itself from loss, liability or claims which occur or arise out of the performance of this Agreement.
2. The Contra Costa SELPA and AU shall mutually determine the specific insurance requirements and include the provision of insurance in the written agreement for services as the AU.

P. LIMITATIONS

If any party to this agreement exceeds the funding allocations specified in the Annual Budget Plan approved by the Governance council as specified above, the resultant cost of such excess shall be borne by the LEA that exceeded such allocation, unless a written agreement is made to address the specific excess costs.

Q. TERM

This Agreement becomes effective on the date of final approval of the Contra Costa SELPA Local Plan, provided it has been approved by all parties choosing to participate, and it shall continue in effect until a majority of the participation parties have terminated membership in the manner provided by paragraph R. The Governance Council shall meet within thirty (30) days after the State Superintendent of Public Instruction has recommended that the State Board of Education approve the Local Plan of the Contra Costa SELPA.

R. RESIGNATION OF MEMBERSHIP

A party may resign from the Contra Costa SELPA by notifying the Governance Council of its intent to resign at least one year prior to the effective date of resignation. The effective date shall be no earlier than June 30 following service of notification. The Contra Costa SELPA shall continue as a JPA as long as seven or more parties remain under this agreement.

S. DISPOSITION OF PROPERTY AND FUNDS UPON TERMINATION

At such time as less than seven members continue or upon the action of the members of Governance Council to end this agreement, the Contra Costa SELPA shall be terminated and cease to exist. Upon termination, the property and funds of the Contra Costa SELPA shall be distributed as follows:

1. After payment of all costs, expenses and charges incurred under the Agreement, any monies in the possession of the Contra Costa SELPA shall be returned to the parties in proportion to contributions made or in proportion to the previous years pupil count (CBEDS).
2. All property in the possession of the Contra Costa SELPA shall be returned to the parties in proportion to contributions made or in proportion to the previous years pupil count (CBEDS).
3. If said parties cannot agree on distribution, said property shall, to the extent possible, be sold for cash, and said cash and the remaining property not sold shall be distributed to the parties in proportion to contributions made or proportional to the previous years pupil count (CBEDS).

T. AMENDMENT

This Agreement may be amended, altered or supplemented at any time by a two-thirds vote of the Governance Council.

U. PARTIAL INVALIDITY

If any one or more of the terms, provisions, sections, promises, covenants or conditions of this Agreement shall to any extent be adjudged invalid, unenforceable, void or voidable for any reason whatsoever by a court of competent jurisdiction, each and all of the remaining terms, provisions, sections, promises, covenants and conditions of the Agreement shall not be effected thereby, and shall be valid and enforceable to the fullest extent permitted by law.

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V. ADOPTION AND EXECUTION

Each participating LEA shall become a party to this Agreement by virtue of its governing board's approval of the Contra Costa SELPA Local Plan. This Agreement may be executed by each party on a separate copy thereof with the same force and effect as though all parties had executed a single original copy. The collection of such separately executed copies shall be treated as a single copy executed by all parties. Each party shall promptly transmit an executed copy of this document to the Contra Costa SELPA.

W. SUCCESSORS

This Agreement shall be binding upon, and inure to the benefit of, the successors of the parties.

X. NOTICES

All notices required or permitted hereunder shall be served personally or by first class United States mail, postage prepaid at the addresses indicated below, or at such other address as shall be specified in writing to all other parties. Notices shall be deemed served upon personal service or upon the second day after placing such notice in the United States mail.

Contra Costa SELPA
2520 Stanwell Drive, Suite 270
Concord, CA 94520

Byron Union School District
14301 Byron Highway
Byron, CA 94514-1520

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed by their authorized officers as set forth below.

On this _____ day of _____ 20____.

SCHOOL DISTRICT

By: _____

Title _____

(Typed or printed name)

Date _____

Date _____
(Approved by Board)

Signed copies on file in the SELPA office.

ANNUAL SERVICE PLAN

CONTRA COSTA SELPA LOCAL PLAN

ANNUAL SERVICE DELIVERY PLAN [56205(b)(2)]

Contra Costa SELPA is required to submit an “Annual Service Delivery Plan” to the California Department of Education. The Governance Council shall conduct the public hearing as required prior to submission to the California Department of Education. The purpose of the Annual Service Delivery Plan is to provide the public with an overview of the programs and services available within the Contra Costa SELPA.

The Governance Council shall adopt policies to describe the uniform labels to be used in the Contra Costa SELPA to identify the continuum of program and service options available. Innovative service designs or the piloting of new options is encouraged. However, after one year of operation, the LEA providing the service must present the new service delivery model to the Governance Council for adoption.

The Governance Council may provide guidelines for staff patterns, student patterns, curriculum, and/or instructional methodology.

To assure that a full continuum of program options is available in Contra Costa SELPA, Governance Council will work toward achievement of the following goals:

1. To the maximum extent possible program options in general education environments are available at local neighborhood schools.
2. Special education programs, to the maximum extent appropriate possible and to students needs, are housed on regular school campuses and dispersed throughout the SELPA.
3. The physical location of the program facilitates continuing social interaction with non-disabled students.
4. Individuals with exceptional needs have equal access to all general education activities, programs, and facilities on the regular school site and participate in those activities as appropriate to their needs.
5. Placement outside of these guidelines is justified and documented.

ANNUAL BUDGET PLAN

CONTRA COSTA SELPA LOCAL PLAN

ANNUAL BUDGET PLAN

General Budget Administration [56205(b)(1)]

The Byron Union School District shall be the Administrative Unit (AU) for the Contra Costa Special Education Local Plan Area (Contra Costa SELPA). Under the direction of the SELPA the AU shall act as the fiscal agent authorized to receive, disburse and expend funds in accordance with the approval of the Governance Council to implement the Joint Powers Agreement, Agreement for Services as Administrative Unit, the Local Plan, and other requirements of law. The SELPA Director is authorized by the Governance Council to implement the Contra Costa SELPA Policies and specific Governance Council action on behalf of the Governance Council and the Contra Costa SELPA. These responsibilities include but are not limited to the signing of official documents, State reports, and authorization of expenditures or distribution of funds.

The Governance Council shall adopt a budget calendar and all mandated budget adoption and cost accounting procedures required by law. Specific procedures for the implementation of these fiscal requirements are included in the agreement between the Governance Council and the Administrative Unit.

The SELPA, the AU, and each LEA shall establish appropriate record-keeping procedures in accordance with State and Federal requirements, maintain accurate fiscal accounting records, and prepare and submit required fiscal reports to the appropriate authority. All LEAs participating in this Local Plan shall maintain fiscal accounting records in a manner that facilitates an audit by a Certified Public Accountant. The Governance Council shall approve changes in the budget for the operation of the SELPA. Annually the SELPA Director will complete a "Program Certification" process with business managers and special education administrators from each LEA to include: student data, personnel reports, income and expenditure reports. The purpose of this review is to assure that special education resources are used for special education expenses; to review the status of supplementation for state and federal funds to ensure the federal requirement for maintenance of effort was met; and to provide technical assistance to the LEA staff.

The Contra Costa SELPA is required to submit an "Annual Budget Plan" to the California Department of Education. The Governance Council shall conduct the public hearing as required prior to submission of the plan to the California Department of Education. The purpose of the Annual Budget Plan is to provide the public with an overview of the resources available as allocated within the Contra Costa SELPA.

The Governance Council shall adopt policies to allocate and distribute funds. The following guidelines are provided to the Governance Council for such policies to develop the Annual Budget Plan for the SELPA.

A. DISTRIBUTION OF SPECIAL EDUCATION RESOURCES TO LEAS FOR OPERATION OF SPECIAL EDUCATION PROGRAMS AND SERVICES 56205(b)(1)(A-G)

The Special Education Funding Reform Act of 1996 blended state apportionment, federal local assistance, property tax, and other sources for the distribution of special education funding to SELPAs.

The Governance Council shall adopt policies for the allocation of Special Education Resources to LEAs. The intent is to assure access and availability of services to all eligible students through an equitable distribution system. The policy provides for distribution of the following funds:

- Distribution of State Apportionment to LEAs
- Distribution of Property Tax to LEAs although received by the Contra Costa County Office of Education as payment for LEA obligations
- Distribution of Federal Local Assistance revenue to LEAs
- Distribution of Federal Preschool revenue to LEAs and the SELPA operations budget for regionalized staff development and regionalized services to preschool programs

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- Distribution of Infant Units to LEAs providing infant services
- Distribution of Infant Grant funding to LEAs providing infant services with an administrative fee to the SELPA for services provided to infant programs
- Distribution of Inservice Grant fund to LEAs

Additional funding is generated for special education and directly received by the eligible LEA including: special education revenue limit for special day class and non-public school attendance including Extended School Year, Non-Public School Excess Costs, and Licensed Children's Institution Non-Public School reimbursement.

Each LEA shall establish and maintain the appropriate accounting records in accordance with and required by State and Federal laws. LEAs shall expend these funds in accordance with all State and Federal laws.

Details are contained in SELPA Policies.

B. ALLOCATION OF REGIONALIZED SERVICE FUNDS

Regionalized services and program specialist funds shall be allocated to the Administrative Unit (AU) to support regionalized services and other administrative costs of the plan in accordance with this plan. The Governance Council shall review and adopt an expenditure plan for the utilization of these funds in accordance with Education Code.

C. PROCESS FOR THE UTILIZATION OF LOW-INCIDENCE FUNDS

Low Incidence Equipment Funds and Low Incidence Service Funds restricted in use for students in the following disability categories: hard of hearing, deaf, visual disability, orthopedically impaired and deaf-blind the funds shall be administered through the Contra Costa SELPA Office. This includes receipt of funds, distribution of funds, maintaining an inventory, developing procedures for exchange of equipment, and reporting to the State. The Governance Council shall adopt policy to guide the administration of these funds.

LITERACY POLICY

LITERACY

[Article 1.1 State Requirements]

All students with special needs will have the opportunity to participate in the general education curriculum as developed by the IEP team. The IEP team will consider the special needs of a student on an individual basis. One of the areas of participation will be the California Reading Initiative. All special education instructional personnel will participate in staff development inservice opportunities in the area of literacy that includes:

1. Information about current literacy and learning research
2. State adopted standards and frameworks
3. Increased participation of students with disabilities in statewide student assessments
4. 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.

All students with disabilities will have full access to:

1. All required core curriculum including state adopted core curriculum text books and supplementary text books
2. Instructional materials and support in order that students with disabilities attain higher standards in reading.

PART C – INFANT TO PRESCHOOL TRANSITION STATEMENT

CONTRA COSTA SELPA LOCAL PLAN

PART C, INFANT TO PRESCHOOL TRANSITION STATEMENT [56205(b)(3)]

It is the intent of the Contra Costa SELPA to participate in a local interagency agreement with Regional Center of the East Bay to provide services for children eligible for Part C of the Individuals with Disabilities Education Act. Early education program descriptions and transition to preschool procedures will be submitted as part of the Annual Service Plan. The Interagency Agreement will be included as an Appendix to the Local Plan.

APPENDIX

Part C Infant to Preschool Transition – Interagency Agreement (on file)