

LOCAL PLAN

Section B: Governance and Administration

SPECIAL EDUCATION LOCAL PLAN AREA



California Department of Education

Special Education Division

SELPA Butte County SELPA

Fiscal Year 2023-24

B. Governance and Administration

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

Participating Local Educational Agencies

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

Special Education Local Plan Area—Local Plan Requirements

1. Describe the geographic service area covered by the local plan: [*EC 56195.1(d)*; *EC 56195.1(a)(1)*; *EC 56211*; *EC 56212*]

*** DISCLAIMER ***

The Individuals with Disabilities Education Act 20 *United States Code (20 USC)* Section 1400 et seq. and related federal regulations, requires each special education local plan area (SELPA) to ensure that a continuum of program options are available to meet the needs of students with disabilities for special education and related services.

The State Superintendent has established guidelines for the coordinated development and submission a local plan's components --Section A: Contacts and Certifications, Section B: Governance and Administration, Section D: Annual Budget Plan, Section E: Annual Services Plan, and required Attachments I -VII. The Butte County SELPA Local Plan ensures access to special education and services for all students with disabilities residing within the geographic area served by the Butte County, with the exception of students in non-members of Butte County SELPA.

Beginning July 1, 2020, all SELPAs are required to submit to the California Department of Education (CDE) the local plan, using CDE-adopted templates. The reasoning provided for this change involves increased uniformity of SELPA local plans across the State and greater transparency for members of the public about SELPAs in general and their structures and processes. The CDE-adopted templates require descriptions about how Butte County SELPA achieves compliance with its assurances, and they ask for references to information that explains in greater detail how that is accomplished.

While Local Plan requirements are generally answered within the sections of the template, the Butte County SELPA has supplemented its template, incorporating by reference other sources of information that elaborate more fully its Governing Board policies; Directors' Council procedures; practice and guidance manuals; interagency agreements, and Community Advisory Committee by-laws.

The following 14 Local Educational Agencies (LEAs) comprise the membership of the Butte

Section B: Governance and Administration

SELPA Butte County SELPA

Fiscal Year 2023-24

County SELPA have approved the elements of the Local Plan for Special Education, effective July 1, 2020. The geographic boundaries of Butte County align with the SELPA boundary. A handful of independent charter schools are members of another SELPA outside the geographic boundaries of Butte County. Each LEA Local Board has provided its approval, the signature page from each LEA, and certification of Board Minutes. Approval of the Local Plan incorporates approval of the LEA Local Assurances by reference within Part B of the Plan. Original signature pages from each LEA are maintained with the California Department of Education, and copies of the same are on file with the Butte County SELPA Office.

- Bangor Union Elementary School District
- Biggs Unified School District
- Butte County Office of Education
- Chico Unified School District
- Durham Unified School District
- Golden Feather Union Elementary School District
- Gridley Unified School District
- Manzanita Elementary School District
- Oroville City Elementary School District
- Oroville Union High School District
- Palermo Union Elementary School District
- Paradise Unified School District
- Pioneer Union Elementary School District
- Thermalito Union Elementary School District

2. Describe the SELPA regional governance and administrative structure of the local plan. Clearly define the roles and structure of a multi-LEA governing body, or single LEA administration as applicable: [EC 56195.1(b)(1)-(3)(c); EC 56205(a)(12)]

Local Education Agencies (LEAs) within Butte County and the Butte County Office of Education, as the Responsible Local Agency (RLA), or Administrative Unit (AU) of the SELPA, hereby join together pursuant to Education Code Section 56195 to adopt a plan in accordance with

SELPA Butte County SELPA

Fiscal Year 2023-24

Education Code Section 56200 to assure equal access to special education and services for all eligible persons with disabilities residing in the geographic area served by these agencies, hereafter known as the Butte County Special Education Local Plan Area (Butte County SELPA). In adopting the Local Plan, each participating agency 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 laws. [EC 56195; 56195.1(c); 56195.5(a); 56195.5(b); 56205(a) (12) (D)].

The Butte County Office of Education and Butte County Board of Education shall serve as the Responsible Local Agency (RLA) or Administrative Unit (AU) for the SELPA and perform the following functions.

- The AU is designated to receive and distribute special education funds according to the locally approved Special Education Budget Allocation Plan.
- The AU employs staff to support SELPA functions.
- The AU oversees the coordination of the Local Plan.

In adopting the SELPA Local Plan, each participating LEA agrees to carry out the duties and responsibilities assigned to it within the plan. Each district governing board and the Butte County Office of Education shall have authority over the programs it directly maintains consistent with the local plan. Regional programs operated on behalf of the SELPA are subject to oversight by the SELPA Governing Board according to SELPA policies and procedures.

Each agency shall provide special education and services to all eligible students within its boundaries, including students attending charter schools where an LEA of the SELPA has granted that charter. Charter schools with LEA status in the SELPA are responsible for special education services according to the provisions of the SELPA's Charter School policy. In addition, each agency shall cooperate to the maximum extent possible with other agencies to serve individuals with disabilities who cannot be served in the LEA of residence program. Such cooperation ensures that a range of program options is available throughout Butte County.

The county office or district governing boards may enter into agreements to provide service to pupils in special education programs maintained by other districts or counties and may include within their special education programs pupils residing in other districts or counties.

The Governing Boards of LEAs in Butte County shall adopt policies and procedures for special education programs and services provided in the Butte County SELPA. Such policies and procedures shall include, but not be limited to, assurances in all areas as required by federal and state statutes. [EC 56205 (a)(12)(D)(i)]. Responsibilities of the governing boards include, but are not limited to:

- Approve the Local Plan and revisions to the Local Plan for the Butte County SELPA.
- Participate in the governance of the Butte County SELPA by empowering their

SELPA Butte County SELPA

Fiscal Year 2023-24

superintendent or designee to act as their agent in the approval and amendment of policies and procedures.

- Ensure compliance with all elements of the Local Plan.
- Cooperate with the Governing Boards of participating Local Education Agencies to assure the availability of appropriate services to eligible individuals regardless of district of residence.
- Provide suitable housing for special education programs maintained by the Local Education Agency.
- Operate local programs consistent with state and federal law and regulations and policies and procedures approved for the Special Education Local Plan Area. [EC56195.5(a)]
- Annually review and approve special education programs and services of the Local Education Agency.
- Develop and adopt policies for the operation of the Local Education Agency, which are consistent with those of the Special Education Local Plan Area, and which promote the concept to ensure access to appropriate programs and services for all children with disabilities.
- Appoint members to the Butte County Community Advisory Committee.
- Review formal complaints forwarded by the respective LEA superintendents as outlined in the district's Uniform Complaint Procedures.

Address questions and concerns of the public, including parents or guardians of individuals with exceptional needs who are receiving services under the Local Plan. [EC56205(b)(4)].

3. Describe the SELPA's regional policy making process. Clearly define the roles of a multi-LEA governing body, or single LEA administration as applicable related to the policy making process for coordinating and implementing the local plan: [EC 56195.7(i)(j)(1)(2)]

The SELPA Governing Board members, under the direction of their respective elected Governing Boards, shall act to establish operational procedures and make decisions on any matters regarding the development, implementation, administration and operation of special education programs in accordance with the intent of the Local Plan. The SELPA Governing Board will perform the following functions:

- Review and approve needed modification of this agreement on behalf of all districts in the SELPA and adopt amendments to the permanent portion of the Local Plan on an "interim basis", not to exceed one year. Amendments approved in this manner shall become permanent upon subsequent approval by LEA Governing Boards during the annual

SELPA Butte County SELPA

Fiscal Year 2023-24

service and budget plan process and upon subsequent approval by the State Board of Education.

- Adopt SELPA policies and procedures on behalf of their respective LEA Governing Boards to ensure compliance with the Local Plan and state and federal laws and regulations.
- Assure equal access to programs and services for all individuals with exceptional needs within the SELPA regardless of their district of residence.
- Approve the annual services plan and annual budget plan.
- Adopt policies for the distribution of federal, state and local funds received for special education programs.
- Adopt agreements including, but not limited to, interagency agreements with Behavioral Health, California Children's Services, Far Northern Regional Center and other public agencies that provide services to students with exceptional needs.
- Establish and promote the Community Advisory Committee. Encourage parental involvement through members of the CAC and consider requests and recommendations from the CAC and other parent groups.
- Provide assistance in the selection, direction, discipline and evaluation of the SELPA Director.

Voting by the Governing Board

The Butte County SELPA Governing Board has enjoyed a long history of good faith cooperation. For this reason, one vote is allocated to each member LEA for most all SELPA Governing Board matters on which action must be taken. Each LEA listed above will receive one (1) vote, except in particular situations, as determined by the Board, when a weighted vote and higher threshold for passage of an item will apply.

In order for a motion to pass, it must receive a majority of votes in the quorum, except when a weighted vote applies. In these situations, two thirds (2/3) of the votes of the sitting quorum must vote in favor.

Superintendents have the option of designating a representative, or proxy, from their LEA when unable themselves to attend a meeting of the SELPA Governing Board. The SELPA Director or his/her designee must be notified in advance of the meeting of name of the proxy who will attend and vote in their absence.

Once an agenda item has been voted on by the Governing Board, it may not be placed on the

SELPA Butte County SELPA

Fiscal Year 2023-24

agenda again unless two-thirds (2/3) of the voting members present agree.

Responsibilities of LEA Superintendents or Designees [EC 56205(a)(12)(D)(i)]

- Provide administrative leadership in support of the special education programs operated by the Local Education Agency. [EC 56195.5 (a)]
- Act as a liaison between the governing board of the Local Education Agency and the SELPA Governing Board, transmitting suggestions for the development and/or modification of policy to the SELPA Governing Board and vote upon such matters in accordance with direction from the Local Education Agency governing boards.
- Annually recommend to the governing board the modifications of Local Education Agency special education programs that are necessary to meet the changing needs of students, to be included in the annual service and budget plans submitted to the SELPA.
- Maintain and submit financial and program information to the administrative unit and SELPA as required. Establish and maintain all procedural safeguards as defined by the Individuals with Disabilities Education Act.
- Provide for the ongoing evaluation of special education programs operated by the Local Education Agency in accordance with guidelines established by the California Department of Education.
- Respond to all complaints and requests for due process relative to the provision of services to students with disabilities.

4. Clearly define the roles of the County Office of Education (COE) as applicable, and/or any other administrative supports necessary to coordinate and implement the local plan: [EC 56195.1(c); EC 56205(a)(12)(D)(i); EC 56195.5]

The Butte County Office of Education (BCOE) is designated as the official administrative unit (AU) to assure the implementation of the Local Plan and SELPA policies, agreements, and procedures of the SELPA Governing Board in cooperation with participating LEAs. The distribution of the federal and state funds is the responsibility of Butte County SELPA in accordance with the Butte County SELPA's Funding Allocation Plan and policies, agreements and procedures of the Governing Board. The Butte County SELPA Director is employed by the AU Superintendent. Employment, supervision, evaluation, and discipline follow the BCOE Human Resources Standard Operating Procedures.

SELPA staff members are employed by the AU upon recommendation from the Butte County SELPA Director. Supervision, evaluation, and discipline of the Butte County SELPA staff employed by the AU in support of the Local Plan shall be the responsibility of the Butte County SELPA Director. The County Office of Education is a member of the SELPA Governing Board and is the Administrative Unit for the Butte County SELPA.

SELPA Butte County SELPA

Fiscal Year 2023-24

SELPA Staff

The LEA governing boards, through their representatives to the SELPA Governing Board, shall identify the need for and designate positions necessary for the operation of SELPA functions according to this policy. [EC 56205 (a)(12)(D)(ii)(I0)]

The SELPA Governing Board shall be responsible for designating staff to support the functioning of the SELPA. In reviewing and approving the SELPA budget on an annual basis, the governing board designates staffing for the SELPA office.

SELPA staff shall be employed by the BCOE and shall be supervised and evaluated by the SELPA Director according to policy and practice. SELPA positions will be advertised and selected according to BCOE personnel procedures. Representatives from participating LEAs will be involved in the screening and interview process. Recommendations will be submitted to the Butte County Superintendent of Schools for approval.

SELPA Director

The SELPA Director will coordinate the provision of all special education services of the SELPA and will administer those functions delegated to the SELPA pursuant to the local Plan adopted by the SELPA Governing Board. [EC 56205(a)(12)(D)(ii)]

A. Responsibilities of the SELPA Director

- Develop, implement, supervise, and provide for the evaluation of the Regionalized Services program.
- Serve as ex-officio member of the SELPA Governing Board to develop agendas, provide information and recommendations regarding the operation of the SELPA and report minutes of the meetings.
- Serve as the Chairperson of the SELPA Coordinating Council and assist Council members to implement each LEA's responsibility under the Local Plan.
- Function as a liaison to the CAC, assist in promoting community involvement and work closely with the Committee to develop recommendations to be presented to the Coordinating Council and the SELPA Governing Board.
- Prepare program and fiscal reports required of the SELPA by the state; manage the CALPADS data system to comply with all state requirements. [EC 56205(a)(12)(D)(ii)(V)]
- Recommend employment of, assign, supervise and evaluate staff assigned to the SELPA Office.
- Provide assistance to the SELPA staff to carry out their responsibility to ensure that all pupils have access to full educational opportunity.

SELPA Butte County SELPA

Fiscal Year 2023-24

- Provide leadership in the development of the Local Plan and policies and procedures necessary to operation of the SELPA.
- Provide support to participating LEAs in their operation of special education programs and services.
- Monitor the appropriate use of federal, state and local funds allocated for special education programs. EC 56205(a)(12)(D)(ii)(IV)
- Schedule regular meetings of the SELPA Governing Board, Coordinating Council and Community Advisory Committee for policy and budget development, support and information sharing.
- Ensure the implementation of all federal, state and local responsibilities of the SELPA, including personnel development and procedural safeguards and other assurances.
- Assist LEAs in mediation and due process hearings.

It is the SELPA Director's responsibility to represent the interests of the SELPA as a whole without promoting any particular LEA interest over the interest of any other agency. In the event there are differences of opinions and/or positions on issues, the SELPA Director will assist the parties in reaching a reasonable solution of the issue(s).

The SELPA Director shall implement the Local Plan including the following regionalized services and operations: [EC 56836.23, EC 56205(a)(12)(B)]

- Coordination of the Special Education Local Plan Area and the implementation of the local plan.
- Coordinated system of identification and assessment
- Coordinated system of procedural safeguards
- Coordinated system of staff development and parent education.
- Coordinated system of curriculum development and alignment with the core curriculum.
- Coordinated system of internal program review, evaluation of the effectiveness of the local plan and implementation of a local plan accountability mechanism.
- Coordinated system of data collection and management.
- Coordination of interagency agreements.
- Coordination of services to medical facilities.

SELPA Butte County SELPA

Fiscal Year 2023-24

- Coordination of services to licensed children's institutions and foster family homes.
- Preparation and transmission of required Special Education Local Plan Area reports. EC 56205(a)(12)(D)(ii)(V)
- Assist and participate in Community Advisory Committee activities.
- The SELPA Director will act as liaison between the CAC and the SELPA Governing Board, sharing information and recommendations between the two groups.
- Coordination of transportation services for individuals with exceptional needs.
- Coordination of career and vocational education and transition services.
- Assurance of full educational opportunity.
- Monitor the appropriate use of federal, state and local funds allocated for special education programs. EC56205(a)(12)(D)(ii)(IV)
- Direct instructional program support.

Program Specialist Services [EC 56205(a)(12)(B); 56368]

A program specialist is a specialist who holds a valid special education credential, clinical services credential, health services credential or a school psychologist authorization and advanced training and related experience in the education of individuals with exceptional needs.

Program specialist services are provided by the SELPA and include the following services:

- Facilitation for the placement of students in programs outside their district of residence.
- Observation, consultation and assistance to special education teachers and support staff in accordance with LEA procedures.
- Program planning, coordination of curricular resources and the evaluation of the effectiveness of programs for children with disabilities.
- Provision of in-service training and technical assistance for regular and special education teachers, administrators, support staff and parents.
- Provision of coordination, consultation and program development in one or more specialized areas of expertise.
- Participation in and/or facilitation of IEP team meetings, upon request, when technical assistance is needed.

Section B: Governance and Administration

SELPA

Fiscal Year

- Assistance in mediation, due process hearings and compliance proceedings by providing expertise and knowledge of special education law and regulations as well as programs and appropriate interventions available throughout the SELPA.
- Assistance in developing training for parents and members of the Community Advisory Committee.
- Assistance as a liaison to various community agencies such as the Department of Behavioral Health, Far Northern Regional Center, California Children's Services, Probation Department, etc.
- Assure that pupils have full educational opportunity regardless of the district of residence.
- Program specialist services shall be allocated to districts annually by mutual agreement of the SELPA Director and LEA Special Education Administrators. Allocations will be based on factors such as the number of staff available, SELPA priorities and LEA needs.

5. Does the SELPA have policies and procedures that allow for the participation of charter schools in the local plan? [EC 56207.5]

☒ Yes ☐ No

If No, explain why the SELPA does not have the policy and procedures.

6. Identify and describe the representation and participation of the SELPA community advisory committee (CAC) pursuant to EC Section 56190 in the development of the local plan: [EC 56194(a)(b)(d); EC 56195.9(a)]

The Community Advisory Committee serves in an advisory capacity and consists of parents of individuals with exceptional needs enrolled in public or private schools, parents of other pupils enrolled in school, pupils and adults with disabilities, regular education teachers, special education teachers and other school personnel, representatives of other public and private agencies, and persons concerned with the needs of individuals with exceptional needs. Desired membership shall be at least fifteen (15) but no more than twenty-five (25) appointed memberships. All interested parties are encouraged to participate as members-at-large in CAC activities and meetings, including membership on CAC sub-committees.

The majority (51%) of the Committee shall be composed of parents of pupils enrolled in schools participating in the Local Plan and at least a majority (51%) of such parents shall be parents of individuals with disabilities. The balance (49%) of the Committee shall be composed of special education teachers, regular education teachers, other school and county personnel, parents of

SELPA Butte County SELPA

Fiscal Year 2023-24

regular and disabled pupils who are employed by public school or county school agencies, representatives of other public and private agencies, disabled persons and other persons concerned with the needs of individuals with disabilities.

The Community Advisory Committee shall have the authority and fulfill the responsibilities that are defined for it in the Local Plan. The responsibilities shall include, but are not limited to, all the following:

- Advising the policy and administrative entity of the special education local plan area regarding the development, amendment, and review of the local plan. The entity shall review and consider comments from the community advisory committee.
- Recommending annual priorities to be addressed by the plan.
- Assisting in parent education and in recruiting parents and other volunteers who may contribute to the implementation of the plan.
- Encouraging community involvement in the development and review of the local plan.
- Supporting activities on behalf of individuals with exceptional needs.
- Assisting in parent awareness of the importance of regular school attendance.
- Supporting community involvement in the parent advisory committee established pursuant to Section 52063 to encourage the inclusion of parents of individuals with exceptional needs to the extent these pupils also fall within one or more of the definitions in Section 42238.

7. Describe the SELPA's process for regular consultations regarding the plan development with representative of special education and regular education teachers, and administrators selected by the groups they represent and parent members of the CAC: [EC 56205(a)(12)(E); EC 56205(b)(7)]

The Butte County SELPA Local Plan is developed with input from the following groups:

- The SELPA Director and SELPA Program Specialist Team take the lead roles in coordination of activities to solicit collaboration, and the Coordinating Council of the SELPA actively participates in revisions through committee and by reviewing proposed changes in their regular meetings.
- The SELPA Coordinating Council members may consult with their bargaining units or school site staff to select general education and special education teachers who may want to serve on a sub-committee for the purpose of providing input to the development of the Local Plan and/or the Annual Service Plan and Annual Budget Plan.
- General and special education administrators are selected by their superintendents.

SELPA Butte County SELPA

Fiscal Year 2023-24

- Parent representatives who have been selected by the CAC. Parents may or may not be members of the CAC. Parents will be selected from the north and south regions of the county. The CAC voting representative to the SELPA Coordinating Council als3. Governance Structure And Administrative Support (Education Code 56140, 56195, 56195.1, 56195.3, 56195.5))

8. Identify and describe the responsible local agency (RLA), Administrative Unit (AU), or other agency who is responsible for performing tasks such as the receipt and distribution of funds, provision of administrative support, and coordination and implementation of the plan: [EC 56836.01(a)(b); EC 56205(a)(12)(D)(ii); EC 56195(b)(3); EC 56030]

The Butte County Office of Education functions as the Administrative Unit for the Butte County SELPA. The AU implements the Local Plan in terms of receipt and distribution of funds, develops the SELPA budgets with the SELPA Director, coordinates reporting with districts and CDE, closes the books for the SELPA programs and provides other administrative support.

As previously noted, in adopting the Local Plan, each participating Local Education Agency agrees to carry out the duties and responsibilities assigned to it within the plan. Each agency shall provide special education and services to all eligible students within its boundaries, including students attending charter schools where that local education agency of the SELPA has granted that charter. In addition, each agency shall cooperate to the maximum extent possible with other agencies to serve individuals with disabilities who cannot be served in the local education agency of residence programs. Such cooperation ensures that a range of program options is available throughout the Butte County SELPA.

9. Describe the contractual agreements and the SELPA's system for determining the responsibility of participating agency for the education of each student with special needs residing within the geographical area served by the plan: [EC 56195.7. EC 56195.1(b)(c)]

The Butte County SELPA maintains several participation agreements and memoranda of understanding and participation with multiple agencies within the region, each outlining how the member LEAs will interact with each other and with said agencies in the identification and provision of special education and related services to students residing in Butte County. This includes agreements, for example, with Butte County Behavioral Health, California Children's Services, Far Northern Regional Center, School Ties Foster Youth Services, Butte County Department of Employment and Social Services, California Department of Rehabilitation, the California Department of Education, and Rowell Family Empowerment Center. Copies of these types of agreements are part of Appendix C to the Local Plan.

Participating agencies may enter into additional contractual arrangements to meet the requirements of applicable federal and state laws. [EC 56195; 56195.1(c); 56195.5(a); 56195.5(b); 56205(a) (12) (D)]. The county office of education and the Butte County SELPA may each also enter into contractual agreements to provide service to pupils in special education

SELPA Butte County SELPA

Fiscal Year 2023-24

programs maintained by other districts or counties and may include within their special education programs pupils residing in other districts or counties. For example, the county office operates programming for deaf and hard of hearing students in a centralized program that is made available to neighboring SELPAs who do not have the numbers to allow them to create a program of their own. Also, the Butte County SELPA has entered into numerous contractual agreements in order to operate a non-public school equivalent program to serve special education students with social and emotional challenges, which is also available to students who reside in other counties.

Member LEAs in Butte County are able to enter into placement agreements with one another when they have students who require specialized programming, and the methodology is included in the SELPA Allocation Plan, which is made available in Appendix A to this Plan.

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

10. For multi-LEA local plans, specify:

- a. The responsibilities of each participating COE and LEA governing board in the policymaking process: [EC 56205(a)(12)(D)(i)]

Butte County Office of Education is a member LEA of the Butte County SELPA, as well as its administrative unit (AU) or responsible local agency (RLA). In adopting the Local Plan, the SELPA Governing Board and its LEAs provide assurances that each will take on the various responsibilities of carrying out the Local Plan. In determining policy, the SELPA Director and Governing Board Chairperson work together to bring forward necessary changes to SELPA policy or to create additional policies as necessary. These are typically given a first read, discussion, and are ultimately rejected, amended, or adopted at subsequent meeting of the Governing Board. Where input from the Directors' Council is appropriate, this input is sought and incorporated into the discussion at later meetings of the Governing Board. The responsibility of each LEA is to participate as voting members of the SELPA, to have their voices heard and their needs met in the implementation of the Local Plan for students with disabilities within their LEAs.

- b. The responsibilities of the superintendents of each participating LEA and COE in the implementation of the local plan: [EC 56205(a)(12)(D)(i)]

Each superintendent plays a role in the structure of Butte County SELPA, and all LEA voices are welcomed and considered. For most issues, each LEA enjoys one vote, and weighted voting is only used in a few circumstances. This encourages equity, transparency, open communication, and sustainability over time. As the Governing Board interacts and acts collaboratively, services to students are improved.

SELPA Butte County SELPA

Fiscal Year 2023-24

- c. The responsibilities of district and county administrators of special education in coordinating the administration of the local plan: [EC 56205(a)(12)(D)(i)]

Each LEA has a responsibility to coordinate activities related to the Local Plan. In larger LEAs, coordinators are hired for the purpose of ensuring compliance and improvement of special education services. Smaller LEAs often contract with the COE for coordination of activities that are shared between several LEAs of similar size, in order to create an economy of scale while still meeting the LEA's obligations to meet Local Plan requirements.

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

- a. The hiring, supervision, evaluation, and discipline of the SELPA administrator and staff employed by the AU in support of the local plan: [EC 56205(a)(12)(D)(ii)(I)]

The LEA governing boards, through their representatives to the SELPA Governing Board, shall identify the need for and designate positions necessary for the operation of SELPA functions according to this policy. [EC 56205 (a)(12)(D)(ii)(I)]. The SELPA Governing Board shall be responsible for designating staff to support the functioning of the SELPA. In reviewing and approving the SELPA budget on an annual basis, the governing board designates staffing for the SELPA office. SELPA staff shall be employed by the BCOE and shall be supervised and evaluated by the SELPA Director according to policy and practice. SELPA positions will be advertised and selected according to BCOE personnel procedures. Representatives from participating LEAs will be involved in the screening and interview process. Recommendations will be submitted to the Butte County Superintendent of Schools for approval. The SELPA Director coordinates the provision of all special education services of the SELPA and will administer those functions delegated to the SELPA pursuant to the Local Plan adopted by the SELPA Governing Board. [EC 56205(a)(12)(D)(ii)].

- b. The local method used to distribute federal and state funds to the SELPA RLA/AU and to LEAs within the SELPA: [EC 56205(a)(12)(D) (ii)(II); EC 56195.7(i)]

The Butte County Office of Education shall be the Responsible Local Agency (RLA), also known as the Administrative Unit (AU) for the Butte County Special Education Local Plan Area (SELPA). Under the direction of the SELPA, the RLA shall act as the fiscal agent authorized to receive, disburse and expend funds in accordance with the approval of the Governing Board. The SELPA Director is authorized by the Governing Board to implement the Butte County SELPA policies and specific Governing Board action on behalf of the Governing Board and the SELPA. These responsibilities include, but are not limited to, the signing of official documents, state reports, and authorization of expenditures or distribution of funds as approved by the Governing Board.

The Budget Allocation Plan reflects the actual costs of services used by students and each LEA is responsible for paying for services provided to their students through their federal, state, and

SELPA Butte County SELPA

Fiscal Year 2023-24

local revenues. Some services, as noted in the allocation plan, are paid for by all LEAs in the Local Plan. The SELPA Director will at least quarterly consult with the RLA Business Advisory Group, made up of LEA Business Officials, to provide updates and status reports regarding special education funding trends and specific information for Butte County SELPA. Each LEA is responsible for ensuring the timely submission of all required reports to the Administrative Unit, as this allows the AU to facilitate the timely distribution of funds to all LEAs.

The Butte County SELPA is required to develop an Annual Budget Plan. The Governing Board shall adopt the Annual Budget Plan in a public meeting as required, and it will be included with the Local Plan. The purpose of the Annual Budget Plan is to provide the public with an overview of the resources available as allocated within the SELPA. The Governing Board shall adopt policies to allocate and distribute funds.

c. The operation of special education programs: [EC 56205(a)(12)(D)(ii)(III)]

The COE acts as the AU/RLA to the Butte County SELPA and act together to determine the best means of operating special education programs in consultation with both the SELPA Director and the Directors' Council, made up of each LEA's representative administrators. This process ensures participation and groupthink so that all are included. Additional committees such as the Program Quality Committee, the Low Incidence Committee, and the ERMHS Committee, as examples, provide additional layers of oversight of special education programming related to these specific areas.

d. Monitoring the appropriate use of federal, state, and local funds allocated for special education programs: [EC 56205(a)(12)(D)(ii)(IV)]

The Governing Board of the Butte County SELPA is committed to the principles of equity, transparency, accuracy, and sustainability in the allocation and distribution of federal, state, and local dollars to provide educationally appropriate programs and services to all students with disabilities within the boundaries of Butte County. The SELPA recognizes, however, that the cost of providing special education programs regularly exceeds available funding sources. It is critical that the SELPA facilitate participation, cooperation, and communication among the all its member LEAs to address the funding of special education programs. This means the SELPA must work to provide all available and necessary information to its LEAs to assist them in making appropriate fiscal decisions in order to provide special education services to the students they serve.

The Butte County SELPA Budget Allocation Plan is based on the following principles:

- The Budget Allocation Plan must ensure that the needs of ALL students in the Butte County SELPA are met;
- The Budget Allocation Plan should be easily understood and transparent;
- Funding should be primarily focused on access to quality, effective special education

SELPA Butte County SELPA

Fiscal Year 2023-24

programs to ensure positive, measurable outcomes for students with disabilities;

- Allocation of funds should provide neither incentive to over-identify students as students with disabilities nor to place students in more restrictive environments;
- Revenues should be distributed as indicated in the SELPA Budget Allocation Plan adopted by the SELPA Governing Board;
- The impact of special education funding on the overall budget of each LEA is considered, and providing for the impact to small districts should be part of the Plan;
- LEAs are responsible for actual education costs for their students, whether in regional or non-public school settings, therefore limiting shared risk;
- Funding for charter schools, whether as LEAs or as schools of the district, should be clearly established; and
- All LEAs in the Butte County SELPA comply with state and federal requirements, and all local assurances, to ensure eligibility for continued funding.

12. Describe how specialized equipment and services will be distributed within the SELPA in a manner that minimizes the necessity to serve students in isolated sites and maximizes the opportunities to serve students in the least restrictive environments: [EC 56206]

The Butte County SELPA strives to provide quality special education programming in the least restrictive environments possible. To accomplish this, a system of centralized programs serve our more moderate-severe populations on behalf of our southern districts. Our largest district, Chico USD, which represents approximately half of the entire ADA of the SELPA, runs its own programs and uses its funds to purchase the equipment and services to serve its own students. Although there are always challenges in providing a full spectrum at all locations, cooperation and collaboration between LEAs allows students to obtain appropriate services and placements within Butte County, either at their home school, nearby in their same district, or in a neighboring district where a centralized program is hosted. Through this cooperation, student needs are met thanks to the economy of scale the SELPA is able to support.

Policies, Procedures, and Programs

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

Section B: Governance and Administration

SELPA

Fiscal Year

the document title; and the physical location where the policy can be found.

1. Free Appropriate Public Education: 20 USC Section 1412(a)(1); EC 56205(a)(1)

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

2. Full Educational Opportunity: 20 USC Section 1412(a)(2); EC 56205(a)(2)

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

3. Child Find: 20 USC Section 1412(a)(3); EC 56205(a)(3)

Policy/Procedure Number:

Document Title:

Document Location:

Section B: Governance and Administration

SELPA

Fiscal Year

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

☒ Yes ☐ No

4. Individualized Education Program (IEP) and Individualized Family Service Plan (IFSP): 20 USC Section 1412(a)(4); EC 56205(a)(4)

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

5. Least Restrictive Environment: USC Section 1412(a)(5); EC 56205(a)(5)

Policy/Procedure Number:

Document Title:

Document Location:

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

Section B: Governance and Administration

SELPA

Fiscal Year

☒ Yes ☐ No

6. Procedural Safeguards: 20 USC Section 1412(a)(6); EC 56205(a)(6)

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

7. Evaluation: 20 USC Section 1412(a)(7); EC 56205(a)(7)

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

8. Confidentiality: 20 USC Section 1412(a)(8); EC 56205(a)(8)

Policy/Procedure Number:

Document Title:

Document Location:

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

Section B: Governance and Administration

SELPA

Fiscal Year

stated:

☒ Yes ☐ No

9. Part C to Part B Transition: 20 USC Section 1412(a)(9); EC 56205(a)(9)

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

10. Private Schools: 20 USC Section 1412(a)(10); EC 56205(a)(10)

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

11. Local Compliance Assurances: 20 USC Section 1412(a)(11); EC 56205(a)(11)

Policy/Procedure Number:

Document Title:

Section B: Governance and Administration

SELPA

Fiscal Year

Document Location:

"It shall be the policy of this LEA that the local plan shall be adopted by the appropriate local board(s) (district/county) and is the basis for the operation and administration of special education programs, and that the agency(ies) herein represented will meet all applicable requirements of state and federal laws and regulations, including compliance with the IDEA; the Federal Rehabilitation Act of 1973, Section 504 of Public Law; and the provisions of the California *EC*, Part 30." The policy is adopted by the SELPA as stated:

☒ Yes ☐ No

12. Interagency: 20 USC Section 1412(a)(12); EC 56205(a)(12)(D)(iii)

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

13. Governance: 20 USC Section 1412(a)(13); EC 56205(a)(12)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA to support and comply with the provisions of the governance bodies and any necessary administrative support to implement the local plan. A final determination that an LEA is not eligible for assistance under this part will not be made without first affording that LEA with reasonable notice and an opportunity for a hearing through the State Education Agency." The policy is adopted by the SELPA as stated:

☒ Yes ☐ No

Section B: Governance and Administration

SELPA

Fiscal Year

14. Personnel Qualifications; EC 56205(a)(13)

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

15. Performance Goals and Indicators: 20 USC Section 1412(a)(15); EC 56205(a)(14)

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

16. Participation in Assessments: 20 USC Section 1412(a)(16); EC 56205(a)(15)

Policy/Procedure Number:

Document Title:

Document Location:

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

Section B: Governance and Administration

SELPA

Fiscal Year

adopted by the SELPA as stated:

☒ Yes ☐ No

17. Supplementation of State, Local, and Federal Funds: 20 USC Section 1412(a)(17); EC 56205(a)(16)

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

18. Maintenance of Effort: 20 USC Section 1412(a)(18); EC 56205(a)(17)

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

19. Public Participation: 20 USC Section 1412(a)(19); EC 56205(a)(18)

Policy/Procedure Number:

Policy/Procedure Title:

Document Location:

"It shall be the policy of this LEA that public hearings, adequate notice of the hearings, and an opportunity for comments are available to the general public, including individuals with disabilities and parents of

Section B: Governance and Administration

SELPA

Fiscal Year

children with disabilities, and are held prior to the adoption of any policies and/or regulations needed to comply with Part B of the IDEA." The policy is adopted by the SELPA as stated:

☒ Yes ☐ No

20. Suspension and Expulsion: 20 USC Section 1412(a)(22); EC 56205(a)(19)

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

21. Access to Instructional Materials: 20 USC Section 1412(a)(23); EC 56205(a)(20)

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

22. Over-identification and Disproportionality: 20 USC Section 1412(a)(24); EC 56205(a)(21)

Policy/Procedure Number:

Document Title:

Document Location:

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

Section B: Governance and Administration

SELPA

Fiscal Year

the SELPA as stated:

☒ Yes ☐ No

23. Prohibition on Mandatory Medicine: 20 USC Section 1412(a)(25); EC 56205(a)(22)

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

Administration of Regionalized Operations and Services

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

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

Document Title:

Document Location:

Description:

Local Education Agencies (LEAs) within Butte County and the Butte County Office of Education, as the Responsible Local Agency (RLA), or Administrative Unit (AU) of the SELPA, joined together pursuant to Education Code Section 56195 to adopt a plan in accordance with Education Code Section 56200 to assure equal access to special education and services for all eligible persons with disabilities residing in the geographic area served by these agencies, hereafter known as the Butte County Special Education Local Plan Area (Butte County SELPA). In adopting the Local Plan, each participating agency agrees to carry out the duties and responsibilities assigned to it within the plan. Participating agencies may enter into additional contractual

Section B: Governance and Administration

SELPA Butte County SELPA

Fiscal Year 2023-24

arrangements to meet the requirements of applicable federal and state laws. [EC 56195; 56195.1(c); 56195.5(a); 56195.5(b); 56205(a) (12) (D)].

2. Coordinated system of identification and assessment:

Document Title: Butte County SELPA Procedural Manual

Document Location: www.buttecountyselpa.org

Description: Processes for identification of special education students and assessment for special education eligibility are coordinated with the districts within Butte County SELPA through development of procedures and approved by the Directors' Council and Governing Board of superintendents. Identification and assessment procedures include guidance on child find, or search and serve; enrollment procedures; the referral processes for special education assessment; and the role of student study team procedures in a multi-tiered system of support. Also found in this section is the assessment process, and procedures and timelines to be followed per Education Code. Understanding of these processes are developed and supported through numerous trainings and coordinated collaboration with districts.

3. Coordinated system of procedural safeguards:

Document Title: Butte County SELPA Procedural Manual

Document Location: www.buttecountyselpa.org

Description: A process for providing parents their Parents' Rights and Procedural Safeguards is detailed in this section. The policy includes guidelines for providing information in the parents' primary language, translation services, and accommodations. Ensuring these safeguards are understood and provided is accomplished through coordination with the SELPA Governance in educating district leadership. All LEAs within the SELPA utilize the CDE version of the Parents' Rights and Procedural Safeguards documents.

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

Document Title: Butte County SELPA Policy on Governance, P.D. and C.A.C. calendars

Document Location: www.buttecountyselpa.org

Section B: Governance and Administration

SELPA Butte County SELPA

Fiscal Year 2023-24

Description:

Butte County SELPA coordinates staff development and parent and guardian education through collaborating with district leadership, staff, parents, and the Community Action Committee to identify the needs of the community and services to be provided. Surveys, collaborative meetings, and individual requests are all pathways for guiding and determining the opportunities offered by Butte County SELPA.

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

Document Title:

Butte County SELPA Procedural Manual

Document Location:

www.buttecountyselpa.org

Description:

This section provides information and guidelines necessary to support inclusion and access to core curriculum. Areas included are accommodations, modifications, common core curriculum, common core standards, Universal Design for Learning, and grading systems. Understanding and implementation of these best practices are supported through district-wide collaborative meetings, site trainings, regional projects, observations, data gathering, and teacher coaching.

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

Document Title:

SELPA Policies on Governance and Regional Services, Proc. Manual

Document Location:

www.buttecountyselpa.org

Description:

Program evaluation is the joint responsibility of the regional program operators and the SELPA. SELPA requires that regional program operators adhere to program operation standards agreed to in this policy. The Program Quality Committee utilizes rubrics and metrics to measure special education program effectiveness and appropriateness of local plan implementation. Furthermore, the Local Plan is updated periodically pursuant to the priorities of the Directors Council and Governing Board.

7. Coordinated system of data collection and management:

Document Title:

Butte County SELPA Procedural Manual

Document Location:

www.buttecountyselpa.org

Butte County LEAs use the Special Education Information System

Section B: Governance and Administration

SELPA Butte County SELPA

Fiscal Year 2023-24

Description:

(SEIS) as a tool to complete and track the IEP process. The California Department of Education uses the data compiled from SEIS and CALPADS for compliance monitoring activities. Therefore, proficiency in this system and attention to detail is of the utmost importance to each LEA. The completed IEP is also used to track compliance and collect other data required for CALPADS reporting. For these reasons, Butte County SELPA offers support and guidance for LEAs to ensure procedures are carefully adhered to throughout all levels of the recording and data collection processes.

8. Coordination of interagency agreements:

Document Title:

Butte County SELPA Procedural Manual

Document Location:

www.buttecountyselpa.org

Description:

In order to prevent difficulties in providing identified special education students access to a full range of educational options, the SELPA has developed and implemented various inter-agency agreements and memoranda of understanding that will assure students access to programs and services throughout the SELPA. Each agreement defines fiscal responsibilities of each agency, procedures for resolving disputes, and other components necessary to ensure effective cooperation and coordination between agencies.

9. Coordination of services to medical facilities:

Document Title:

Butte County SELPA Procedural Manual

Document Location:

www.buttecountyselpa.org

Description:

Pursuant to the Local Plan, adopted by the SELPA Governing Board, the Butte County SELPA Administrator is responsible for the development of necessary functions and activities to implement and manage the Local Plan such as providing SELPA staff for technical assistance and special education administrative support for the coordination of services to medical facilities.

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

Document Title:

Butte County SELPA Procedural Manual

Document Location:

www.buttecountyselpa.org

Section B: Governance and Administration

SELPA Butte County SELPA

Fiscal Year 2023-24

Description:

Pursuant to the Local Plan, adopted by the SELPA Governing Board, the Butte County SELPA Administrator is responsible for the development of necessary functions and activities to implement and manage the Local Plan such as providing SELPA staff for technical assistance and special education administrative support for the coordination of services to licensed children's institutions and foster family homes.

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

Document Title:

Butte County SELPA Budget Allocation Policy, and Procedural Manual

Document Location:

www.buttecountyselpa.org

Description:

The Butte County Special Education Local Plan Area (SELPA) uses SEIS as its tracking system for special education data collection. SEIS collects and stores all information for the following: demographic information, CASEMIS aka CALPADS, Individualized Education Programs, Desired Results for Children and Families (DRDP), service delivery, and progress reporting. The SELPA Specialist works with staff in the various LEAs to prepare and submit all required reports to the CDE.

12. Fiscal and logistical support of the CAC:

Document Title:

Butte County SELPA Budget Allocation Policy, and Procedural Manual

Document Location:

www.buttecountyselpa.org

Description:

The Community Advisory Committee (CAC) is a vital component of effective special education programs in Butte County. The CAC shall have the authority and fulfill the responsibilities that are defined for it in the Local Plan. The SELPA will provide fiscal and logistical support for CAC meetings, events, and parent trainings that are approved by the Director's Council and SELPA Governing Board.

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

Document Title:

Butte County SELPA Procedural Manual

Document Location:

www.buttecountyselpa.org

Each member LEA providing special education is required to adopt policies for how special education transportation is coordinated with

Section B: Governance and Administration

SELPA Butte County SELPA

Fiscal Year 2023-24

Description:

regular home-to-school transportation and set forth criteria for meeting the transportation needs of pupils receiving special education. The IEP team will determine transportation for students with disabilities. Specific needs of the pupil must be the primary consideration when an IEP team is determining any transportation needs. The SELPA will provide technical assistance as requested.

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

Document Title:

Butte County SELPA Procedural Manual

Document Location:

www.buttecountyselpa.org

Description:

An Individual Transition Plan (ITP) must be completed in time to be in effect when the student reaches 16 years of age. A student's transition services are determined by using a variety of assessment tools that are culturally, developmentally, and linguistically appropriate. The SELPA will monitor and provide technical assistance as requested.

15. Assurance of full educational opportunity:

Document Title:

Butte County SELPA Procedural Manual

Document Location:

www.buttecountyselpa.org

Description:

Through approval of the Annual Services Plan, the SELPA will ensure that the full continuum of services are provided. The SELPA Governing Board will determine the regional programs needed to meet the needs of the students with disabilities within the Butte County SELPA. Additionally, professional development and technical assistance is available upon request or as determined to be needed by the SELPA to ensure the full educational opportunity.

16. Fiscal administration and the allocation of state and federal funds pursuant to *EC* Section 56836.01—The SELPA Administrator's responsibility for the fiscal administration of the annual budget plan; the allocation of state and federal funds; and the reporting and accounting of special education funding.

Document Title:

Butte County SELPA Policy on Governance - Director Responsibilities

Document Location:

www.buttecountyselpa.org

The Butte County Office of Education shall be the Responsible Local Agency (RLA), also known as the Administrative Unit (AU) for the Butte County Special Education Local Plan Area (SELPA). Under the direction

Section B: Governance and Administration

SELPA Butte County SELPA

Fiscal Year 2023-24

Description:

of the SELPA, the RLA shall act as the fiscal agent authorized to receive, disburse and expend funds in accordance with the approval of the Governing Board. The SELPA Director is authorized by the Governing Board to implement the Butte County SELPA policies and specific Governing Board action on behalf of the Governing Board and the SELPA. These responsibilities include, but are not limited to, the signing of official documents, state reports, and authorization of expenditures or distribution of funds as approved by the Governing Board.

The Budget Allocation Plan reflects the actual costs of services used by students and each LEA is responsible for paying for services provided to their students through their federal, state, and local revenues. Some services, as noted in the allocation plan, are paid for by all LEAs in the Local Plan. The SELPA Director will consult at least quarterly with the RLA Business Advisory Group, made up of LEA Business Officials, to provide updates and status reports regarding special education funding trends and specific information for Butte County SELPA. Each LEA is responsible for ensuring the timely submission of all required reports to the Administrative Unit, as this allows the AU to facilitate the timely distribution of funds to all LEAs.

The Butte County SELPA is required to develop an Annual Budget Plan. The Governing Board shall adopt the Annual Budget Plan in a public meeting as required, and it will be included with the Local Plan. The purpose of the Annual Budget Plan is to provide the public with an overview of the resources available as allocated within the SELPA. The Governing Board shall adopt policies to allocate and distribute funds.

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

Document Title: SELPA Policy on Governance - Role of Program Specialists

Document Location: www.buttecountyselpa.org

A program specialist is a specialist who holds a valid special education credential, clinical services credential, health services credential or a school psychologist authorization and advanced training and related experience in the education of individuals with exceptional needs.

Program specialists provide the following services from the SELPA:

- Facilitation for the placement of students in programs outside their district of residence.

Section B: Governance and Administration

SELPA Butte County SELPA

Fiscal Year 2023-24

Description:

- Observation, consultation and assistance to special education teachers and support staff in accordance with LEA procedures.
- Program planning, coordination of curricular resources and the evaluation of the effectiveness of programs for children with disabilities
- Provision of in-service training and technical assistance for regular and special education teachers, administrators, support staff and parents.
- Provision of coordination, consultation and program development in one or more specialized areas of expertise.
- Participation in and/or facilitation of IEP team meetings, upon request, when technical assistance is needed.
- Assistance in mediation, due process hearings and compliance proceedings by providing expertise and knowledge of special education law and regulations as well as programs and appropriate interventions available throughout the SELPA.
- Assistance in developing training for parents and members of the Community Advisory Committee.
- Assistance as a liaison to various community agencies such as the Department of Behavioral Health, Far Northern Regional Center, California Children's Services, Probation Department, etc.
- Assure that pupils have full educational opportunity regardless of the district of residence.

Program specialist services shall be allocated to districts annually by mutual agreement of the SELPA Director and LEA Special Education Administrators. Allocations will be based on factors such as the number of staff available, SELPA priorities and LEA needs.

Special Education Local Plan Area Services

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

Document Title: Butte County SELPA Procedural Manual

Document Location: www.buttecountyselpa.org

Families whose infants or toddlers (from birth to three years of age) have a developmental delay or disability or an established risk condition with a high probability of resulting in a delay may be eligible to receive an "Early Start" in California.

Butte County Office of Education provides early Start programs through centralized programs. Early Start services are typically provided for infants and toddlers who have vision, hearing, and orthopedic

Section B: Governance and Administration

SELPA Butte County SELPA

Fiscal Year 2023-24

Description:

impairments or a combination of these disabilities. Some of the reasons for referral for Early Start services might include:

- Cognitive (ability to think and learn);
- Fine Motor (small actions, such as grasping an object between the thumb and finger or using lips or tongue to taste objects);
- Gross Motor (larger movements of arms, legs, feet or the entire body when crawling, running, and/or jumping);
- Language & Speech (ability to understand, talk and express self); and,
- Social/Emotional Behavior (ability to relate to others).

Butte County Special Education Local Plan Area (SELPA) has an Early Start interagency agreement with the Far Northern Regional Center (FNRC) and its LEAs collaborate regularly with FNRC to ensure that the infant referrals for evaluation and/or services are properly addressed.

The Butte County Office of Education and Butte County SELPA offer high-quality preschool programs that prepare children, ages 3 through 5 years old, to arrive in kindergarten with the foundational skills necessary for school success. These programs follow the California Early Learning and Development System as outlined in the "California Preschool Program Guidelines," California Department of Education, 2015.

Centralized preschool programs exist in numerous LEAs within Butte County, where a variety of learning experiences are offered for preschool-aged children who require special education services so that they can receive instruction geared to their individual needs. Special day classes, small group instruction, specialized services for young children on the autism spectrum, programs that build mobility skills and remedial speech and language instruction are among the many services available. Individualized Education Programs (IEPs) are developed for each student by a team that includes the child's parents or caregivers, private school teacher if applicable, and the teachers, specialists, and administrators who will be working with the child.

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

Document Title: Butte County SELPA Procedural Manual, also see CAC By-Laws

Document Location: www.buttecountyselpa.org

The Butte County SELPA holds monthly Governing Board meetings and quarterly Community Advisory Committee meetings for the purpose of

Section B: Governance and Administration

SELPA Butte County SELPA

Fiscal Year 2023-24

Description:

coordinating activities under the Local Plan and ensuring parent and community agency engagement around special education programming within the SELPA. While we encourage parents to work first with their school district and special education administrative team, they occasionally contact the SELPA and the Director or Program Specialist will become involved in acting as a go-between to ensure responsible LEA staff address their concerns. Additionally, alternative dispute resolution funds are applied to trainings that enhance parent-district relations. An example of this is our MOU with Rowell Family Engagement Center, an advocacy agency who acts as a neutral resource parents can freely call to help work through IEP issues with the appropriate officials. The procedures for addressing the Governing Board are pursuant to Brown Act requirements for open public comment. Other methods of partnership and communication are incorporated in the CAC by-laws.

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

Document Title:

SELPA Policies on ADR, Governance, and Non-Public Schools

Document Location:

www.buttecountyselpa.org

Description:

In the event of a dispute among local education agencies, local education agencies and the administrative unit or local education agencies and/or the county office and the SELPA, it is the intent of the SELPA Governing Board and the SELPA Coordinating Council that the matter be resolved at the lowest level possible in the SELPA governance structure outlined in the Local Plan. There are three options available for resolving disputes: Informal resolution, Formal Mediation and Independent Review Panel. Each option is described more completely in the Governance Policy, NPS Policy, and the policy on Alternative Dispute Resolution.

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

Document Title:

Butte County SELPA Procedural Manual

Document Location:

www.buttecountyselpa.org

Typically, all school-age children, upon request from parents or staff for

Section B: Governance and Administration

SELPA Butte County SELPA

Fiscal Year 2023-24

Description:

consideration of special education, shall be referred to the SST at their school site. The SST will review the student's strengths, needs, prior interventions and strategies. The SST must be seen as an intervention process, not a special education referral process.

Referrals for special education should not be made from the initial SST meeting. It has been standard practice to require eight to ten (8-10) weeks of documented interventions provided in general education classes prior to special education assessment. The SST provides the school documentation of such interventions and should meet at least two to three (2-3) times prior to considering special education assessment. If the SST finds that all general education resources and interventions of the general education program have been considered and, where appropriate, implemented without adequate student progress occurring, the SST shall refer the student for assessment for special education eligibility.

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

Document Title:

Butte County SELPA Policy on NPS Oversight and Rate Negotiations

Document Location:

www.buttecountyselpa.org

Description:

The Butte County SELPA has assumed responsibility under AB 1172 for an amount of oversight and monitoring of non-public schools where its students are placed. Governing Board Policy (GBP) 17 has been modified to incorporate specific requirements that include: conducting on-site visits to the contracted non-public schools within the SELPA for the purpose of ensuring compliance and reporting findings, if necessary (according to criteria established by the California Department of Education); and ensuring that administrators of the non-public schools possess the required licenses or credentials to enable them to operate.

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

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

Section B: Governance and Administration

SELPA Butte County SELPA

Fiscal Year 2023-24

their last educational setting, but had actually been identified as a child with a disability.
(EC Section 56040)

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

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| Document Title: | SELPA Policy on Correctional Facilities and SELPA Procedural Manual |
| Document Location: | www.buttecountyselpa.org |
| Description: | <p>Adults who are aged 18 to 21 years, who have not graduated with a high school diploma, who, at the time they turned 18 were identified as an individual with exceptional needs and had an individualized education program (IEP) under the IDEA, are also entitled to a FAPE (hereinafter referred to as “eligible adults”). This applies to adults incarcerated in California adult jails and prisons. However, an individual aged 18 through 21 years, who, in the educational placement prior to his or her incarceration in an adult correctional facility was not identified as an individual with exceptional needs or did not have an IEP under the IDEA, is not entitled to a FAPE.; Cal. Educ. Code, § 56040(b). For eligible adults the district of residence (DOR) shall be the Butte County Office of Education (BCOE) for the purpose of this policy unless the student’s current district of residence indicates a desire to be the DOR if the student is currently enrolled in school.</p> <p>Once BCOE is informed that an eligible adult is incarcerated in an adult correctional facility, they will determine whether the eligible adult requests to receive FAPE and, if so, will ensure that the eligible adult student is provided FAPE pursuant to the IDEA and corresponding California regulations. The BCOE shall review and revise the individual’s IEP as necessary, subject to the cooperation of the correctional facility where the eligible adult is located. The eligible adult must consent to the receipt of such services in order to receive said services while incarcerated. In some situations, a student over the age of 18, who is legally an adult, may have a conservator who will continue to act on the student’s behalf in regard to special education and related services.</p> <p>The term “conservator” refers to a person given legal authority and responsibility by the superior court to make decisions for an adult person, married minor, or married minor whose marriage has been</p> |

Section B: Governance and Administration

SELPA

Butte County SELPA

Fiscal Year

2023-24

dissolved who is not competent to make such decisions or to give informed consent. Duly appointed conservators can be identified by a document called “Letters of Conservatorship” issued by the court, pursuant to California Probate Code, Section 1800 et seq. The “Letters of Conservatorship” define the scope of the conservator’s power over the person and property of the incompetent adult.