

MARIN SPECIAL EDUCATION

LOCAL PLAN AREA

MARIN SPECIAL EDUCATION LOCAL PLAN AREA

SELPA DIRECTOR: Susan Spain

PARTICIPATING DISTRICTS

DATE OF LOCAL BOARD MEETING

1. Bolinas-Stinson
2. Dixie
3. Kentfield
4. Laguna Joint
5. Lagunitas
6. Larkspur
7. Lincoln
8. Mill Valley
9. Nicasio
10. Novato Unified
11. Reed
12. Ross
13. Ross Valley
14. San Rafael Elementary
15. San Rafael High
16. Sausalito
17. Shoreline Unified
18. Tamalpais High
19. Union Joint
20. Marin County Office of Education

1. Free Appropriate Public Education (FAPE)

1. Free Appropriate Public Education (FAPE)

Federal Requirements: 20 USC Section 1412, CFR 300.24, 300.300 (a) (3), 300.340-300.351 of part B Regulations. California Requirements CCR Title 5, Chapter 3, Article 1 Section 3001 (b). California Federal Corrective Action Plan (FedCAP)¹

- 1.A.** Under Government code 26.5 (AB 3632) the Marin SELPA has interagency agreements with the Marin County Mental Health Department and California Children’s services to assure that special education students who are eligible for services from these agencies receive appropriate related services as documented on their IEP. CCS provides occupational therapy and physical therapy when it is medically necessary and meets their eligibility criteria. County Mental Health provides mental health services to students who meet their eligibility criteria.
 - 1.A.1. Interagency agreements with CCS and Community Mental Health assure that each student with a disability is provided services in accordance with their IEP. (See Section 1 Appendix A CCS Interagency Agreement page 9-1. See Section 1 Appendix B CMH Interagency Agreement page 7-11.)
 - 1.A.2 Interagency agreements with CCS and Community Mental Health do not require parents to determine eligibility or obtain service from other agencies or providers. (See Section 1 Appendix A CCS Interagency Agreement. See Section 1 Appendix B CMH Interagency Agreement.)
 - 1.A.3. Interagency agreements with CCS and Community Mental Health contain a description of procedures for obtaining related services of mental health and medically necessary occupational and physical therapy when they are not provided by the LEA. (See Section 1 Appendix A CCS Interagency Agreement page 2-11. See Section 1 Appendix B CMH Interagency Agreement page 3-18.)
- 1.B.** Under Government code 26.5 (AB 3632) the Marin SELPA has interagency agreements with the Marin County Mental Health Department and California Children’s services to assure that special education students who are eligible for services from these agencies receive appropriate related services as documented on their IEP.
 - 1.B.1. The CCS and CMH Interagency Agreements outline the procedures to be used when either agency determines a change in service as required by the student’s IEP. As required by law, the District of Residence will provide related/DIS services when an IEP determines that they are educationally necessary and another agency fails to do so. (See Section 1 Appendix A CCS Interagency Agreement page 7-11. See Section 1 Appendix B CMH Interagency Agreement page 10-11)

**SECTION 1
APPENDIX A**

Marin Special Education Local Plan Area
INTERAGENCY AGREEMENT BY AND BETWEEN
MARIN COUNTY SPECIAL EDUCATION LOCAL PLAN AREA
AND
CALIFORNIA CHILDREN'S SERVICES

**SECTION 1
APPENDIX B**

Marin Special Education Local Plan Area
INTERAGENCY AGREEMENT BY AND BETWEEN
MARIN COUNTY SPECIAL EDUCATION LOCAL PLAN AREA
AND
MARIN COUNTY COMMUNITY MENTAL HEALTH SERVICES

2. Full Educational Opportunity

2. Full Educational Opportunity

Federal Requirements: 20 USC 1412 (a)(2).

California Requirements: ED 48926¹, EC 3069³, EC 51412⁴, EC 51215 (a) through EC 51215 (d)(B)(10)⁵, EC56205(c)², EC 56345(b)⁶, 56345(b)(3)⁷, 56368(b)(5).

- 2.A.** The Marin SELPA is responsible for assuring that pupils have full educational opportunity regardless of the district of residence.
 - 2.A.1. Districts are responsible for monitoring the pattern in frequency of suspension for all special education students. An IEP meeting is held to review the functional behavior assessment or the behavior plan and to conduct a Manifestation determination for all special education students with a pattern in frequency of suspension and for those being considered for expulsion. If the IEP team determines that the behavior is not related to a student's disability, program, placement, or services the expulsion can proceed, unless the parent/guardian files for due process to determine if the student's disability, program or placement was related to the behavior. If a student with a disability has been removed from his/her current placement for more than 10 school days in that school year, the district of residence must continue to provide all IEP services pending the outcome of the Manifestation determination and as determined by subsequent IEP team decisions regarding the determination of the appropriate educational placement and services.
- 2.B.** The Marin SELPA has developed a Master Contract and Service Agreement for use by all districts in the Marin SELPA. for students placed in certified nonpublic, non-sectarian schools (NPS).
 - 2.B.1 The Marin SELPA Master Contract and Service Agreement for use by all districts in the Marin SELPA contains all the requirements of the IEP for students placed in certified nonpublic, non-sectarian schools (NPS) and contain provisions to ensure that these requirements are met. (See Section 2 Appendix A Master Contract and Service Agreement.)
 - 2.B.2. For a student placed in certified nonpublic, non-sectarian schools a representative of the district of residence or the SELPA attends an IEP meeting for the student at least annually, or more often if needed, to review student progress. The SELPA Master Contract require reports from the nonpublic, non-sectarian school at least as often as reports provided by the student's district of residence. (See Section 2 Appendix A Master Contract page P5.)
- 2.C.** The IEP team will set differential proficiency standards for meeting graduation requirements for special education students who are unable to attain the general proficiency standard of their district of residence.
 - 2.C.1. Differential Proficiency standards, if needed, are specified on the student's IEP.

- 2.D. See the annual service plan for services to students in Juvenile Hall or County Community School.(See also Section 2 Appendix C Marin SELPA Procedures-Alternative Education Programs.)

SECTION 2
APPENDIX A

Marin Special Education Local Plan Area

**AGREEMENT FOR NONPUBLIC, NONSECTARIAN
SCHOOL/AGENCY SERVICES**

MASTER CONTRACT

SECTION 2
APPENDIX B

Marin Special Education Local Plan Area
INDIVIDUAL SERVICE AGREEMENT FOR NONPUBLIC,
NONSECTARIAN SCHOOL/AGENCY SERVICES

SECTION 2
APPENDIX C

Marin Special Education Local Plan Area

PROCEDURES

ALTERNATIVE EDUCATION PROGRAMS

3. Child Find

3. Child Find

Federal Requirements: 20 USC Section 1412(a)(3)(A-B), 34 CFR Sections 300.125, 300.451²

California Requirements: EC 56301, 56343.5¹, 56500.3, 56502

- 3.A.** The Marin Special Education Local Plan Area carries out a variety of activities to ensure that all individuals with disabilities residing within its jurisdiction are identified located and evaluated. These activities include maintaining an ongoing system of coordination, documentation and reporting with regard to child find and public awareness activities throughout the region as required by statutes and regulations. Representatives of private schools participated on the writing committees for the development of the Marin SELPA Local Plan.
- 3.A.1. The following activities represent the proactive and continuous means that ensure the identification and referral of special needs individuals birth through twenty-one years of age.
- a. Infants and toddlers (birth to three years) The Marin County IDEA Part C Program ensures that infants and toddlers with disabilities or at risk for developmental delays in Marin County receive coordinated services. Part C agency representatives meet weekly to review referrals received and determine which agency, The Marin County Office of Education, on behalf of the SELPA, or, the Golden Gate Regional Center, shall be responsible for case management including assessment, Individual Family Service Plan (IFSP) development and the provision of needed services. Section 22 of the Marin SELPA Local Plan, Part C-Infants and Toddlers with Disabilities, describes the continuous child-find system in place to seek out identify and refer individuals suspected of having special needs in this age group.
- b. Preschoolers (3 to kindergarten): Infants or toddlers receiving early education services through an IFSP are referred, prior to June 30th of the year in which they become three years of age to the preschool Transdisciplinary Team of the Marin County Office of Education, for determination of continuing needs and services. Further, any individual suspected of having special needs, not previously identified by child-find procedures is referred to the Transdisciplinary Team to follow IEP requirements by obtaining the parent/guardian's permission to conduct an assessment and determine special education eligibility. Parents/Guardians receive information regarding the special education referral process and the continuum of preschool services available within the Marin SELPA. This information is also provided to agencies, physicians, private preschools, Head Start preschool providers and caregivers. (See Section 9 Appendix E Interagency Agreement between Marin Head Start and the Marin Special Education Local Plan Area.) The Matrix Guide to Disability Services represents another publication describing the range of special education programs and services available to disabled individuals in the Marin County SELPA.
- The Marin County Office of Education is implementing the Preschool Continuation and Expansion Program under AB 2666 (Hannigan). Letters and flyers describing

the service are sent to all preschool providers, Head Start and child center programs in the Marin SELPA. Follow-up phone calls are also made.

- c. School Age: All public schools in the Marin SELPA have a resource specialist who is responsible for providing inservice to the public school staff on referral procedures, eligibility etc. Some schools utilize student study teams and/or a Request for Consultation Form.
- d. All including Post-Secondary: The Marin SELPA staff participates in regularly scheduled meetings of the Disabilities Action Forum (DAF) which is composed of key administrators of: Department of Health and Human Services, Department of Social Services, Department of Mental Health, Golden Gate Regional Center; Easter Seals, California Children's Services, other private agencies and the Marin SELPA.

The SELPA staff has established communication with Head Start, the Office of Employment and Training, Department of Rehabilitation, MARC, Easter Seals, Matrix, Golden Gate Regional Center and other agencies to assure that all individuals with disabilities, including children for whom English is not a primary language, students with low incidence disabilities and students attending private schools within its jurisdiction are identified.

Special education services are also included in the Disabilities Service Guide (Matrix Resource Directory). This guide is widely distributed to agencies, physicians, private schools and individuals in Marin County.

- 3.a.2. At least annually, the SELPA staff will consult with representatives of private schools regarding procedures for identification, location and evaluation of students enrolled at the private schools.
- 3.B.** The SELPA staff will provide training to all district office and site level administrators on referral procedures including the need for a written referral request.
 - 3.B.1. If a parent makes a verbal request for special education assessment, the public school employee responsible for receiving referrals will inform the parent of the need to file a written request. The public school employee will provide the parent with assistance, as needed, in completing the written request.
 - 3.B.2. If a parent whose primary language is not English makes a verbal request for special education assessment, the public school employee responsible for receiving referrals will inform the parent of the need to file a written request through the use of an interpreter or by providing the parent with written information in the parent's primary language. The public school employee will provide the parent with assistance, as needed, in completing the written request.

4. Individualized Education Program (IEP)

4. Individualized Education Program (IEP)

*Federal requirements 20 USC 1412(a)(4), 1414(d), 1436(d), CFR 300.344(c)(1)(ii)²
California's Plan to Ensure Statewide Compliance³*

4.A. The Marin SELPA has developed one set of all special education forms that are used by all districts and the County Office of Education providing special education services throughout the SELPA. The Marin SELPA prints and provides copies of all forms to participating districts. These forms are maintained and housed at the Marin SELPA for distribution. (See Section 4 Appendix A. Marin SELPA IEP forms.)

4.A.1. The Marin SELPA IEP form meets all required components. (See Section 4 Appendix A IEP and Appendix B IEP check list.)

4.B. Every attempt is made to have parent(s)/guardians participate in the IEP meeting at a location and time that is convenient to them. (See Section 4 Appendix C Parent Notification and Participation).

4.B.1. The Marin SELPA procedures recommend notifying parents of the IEP meeting early enough to ensure an opportunity to attend. (See Section 4 Appendix C Parent Notification and Participation).

4.B.2. The Marin SELPA procedures recommend that the IEP meeting be held at a mutually agreeable time and place. (See Section 4 Appendix C).

4.B.3. The Marin SELPA notice of IEP meeting indicates the purpose, time and location of the meeting and who will be in attendance. (See Section 4 Appendix D. Notification of IEP Meeting.)

4.B.4. The Marin SELPA notice of IEP meeting informs parents that other individuals who have knowledge or expertise regarding the child may attend the meeting. (See Section 4 Appendix D. Notification of IEP Meeting.)

4.C. The Marin SELPA procedures describe transition services. Representatives of other public agencies, particularly Mental Health, California Children's Services and Golden Gate Regional Center, are invited to the IEP team meeting when appropriate. A representative of Golden Gate Regional Center is invited to attend IEP meetings where Individual Transition Plans are being developed for students age fourteen and older. (See Section 1. Appendix A. California Children's Services Interagency Agreement, Section 1. Appendix B. Mental Health Interagency Agreement and Section 9. Appendix A Golden Gate Regional Center Interagency Agreement.)

4.C.1. The Marin SELPA notice of IEP meeting includes the participants of other public agencies at IEP meetings that are held to discuss transition services. These agency representatives receive a copy of the notice of IEP meeting prior to the meeting date. If the agency representative does not attend the IEP meeting the case manager follows up with the

representative regarding transitions services. (See Section 4 Appendix D Notification of IEP Meeting.)

4.C.2. The Marin SELPA IEP contains statements of transition service needs that focus on the student's courses of study. (See Section 4 Appendix A IEP form.) The IEP team must address transition services for those students ages 14 and older and may address transition service needs for students younger than 14 years when appropriate.

**SECTION 4
APPENDIX A**

Marin Special Education Local Plan Area
INDIVIDUALIZED EDUCATION PROGRAM (IEP) FORM

SECTION 4
APPENDIX B

Marin Special Education Local Plan Area

INDIVIDUALIZED EDUCATION PROGRAM (IEP) CHECKLIST

**SECTION 4
APPENDIX C**

Marin Special Education Local Plan Area
INDIVIDUALIZED EDUCATION PROGRAM (IEP)
PARENT NOTIFICATION AND PARTICIPATION

Marin Special Education Local Plan Area
INDIVIDUALIZED EDUCATION PROGRAM (IEP)
PROCEDURES FOR
PARENT NOTIFICATION AND PARTICIPATION

1. Every attempt shall be made to have parent(s)/guardians participate in the IEP meeting.
 - a. The IEP meeting will be scheduled at a location and time that is mutually convenient to the parent(s)/guardians and the school personnel.
 - b. Parents will be notified in writing early enough to ensure an opportunity to attend. It is recommended that written notice be sent approximately two weeks prior to the meeting date. If an IEP meeting is needed in a shorter time period, it is recommended that the parents be contacted by phone to set a mutually agreeable date, time and location for the meeting. (See Section 4 Appendix D Notification of IEP Meeting form)
 - c. Annual and triennial assessments will be completed within required timelines. Parent(s)/guardians will be asked to agree to a request for an extension of time line for an IEP meeting if an assessment cannot be completed within the 50-day timeline. (See Section 4 Appendix E. A Request for Extension of Time Line form.)
2. Parents will be informed and afforded the opportunity to participate in the IEP meeting.
 - a. Parents will be provided with a copy of the Marin SELPA Parental Rights and Procedural Safeguards for Special Education upon: 1.) Initial referral for evaluation of their child for special education service, 2.) Each notification of an IEP meeting, 3.) Reevaluation of their child, and 4.) Registration of a complaint or a request for a due process hearing. (See Section 4 Appendix F, Parental Rights and Procedural Safeguards for Special Education Expanded Version, Complete, Short Version, Department of Education Special Education Rights of Parents and Children.)
 - b. Parents will be notified of the purpose, time and location of the meeting and who will be in attendance. (See Section 4 Appendix D Notification of IEP Meeting form)
 - c. Parents will be informed that other individuals who have knowledge or expertise regarding the child may attend the meeting. (See Section 4 Appendix D Notification of IEP Meeting form. See Section 4 Appendix F. Parental Rights and Procedural Safeguards for Special Education Expanded Version, Complete, Short Version, Department of Education Special Education Rights of Parents and Children)
 - Participants of other agencies will be notified by written notification or by phone of IEP meetings that are held to discuss transition services.
 - If representative(s) of other agencies are unable to attend IEP meetings that are held to discuss transition services, the student's case manager will follow-up with the absent representatives by providing them with a copy of the IEP or by telephone.

- d. Parents whose primary language is not English will receive written notification in their primary language or a translator will be provided to read the written notification to the parents. A translator will be provided during IEP meetings.

**SECTION 4
APPENDIX D**

Marin Special Education Local Plan Area
NOTIFICATION OF IEP MEETING

SECTION 4
APPENDIX E

Marin Special Education Local Plan Area
REQUEST FOR EXTENSION OF TIME LINE

**SECTION 4
APPENDIX F**

Marin Special Education Local Plan Area

**PARENTAL RIGHT AND PROCEDURAL SAFEGUARDS
FOR SPECIAL EDUCATION**

5. Least Restrictive Environment (LRE)

5. **Least Restrictive Environment (LRE)**

Federal Requirements: (20 USC 1412(a)(5)(A))

California Requirements: (EC 56031), (EC 56201³), (EC 56206¹), (EC 56303³)

California State Board Policy (OCTOBER 10, 1986)

Marin SELPA procedures for determining the Least Restrictive Environment

- A. In determining the appropriate least restrictive placement for students with disabilities, the IEP team shall:
 - 1. Determine if the student can be placed in a regular education classroom setting at their neighborhood school with supplemental aids and services. The IEP shall specify any needed supplemental aids and services.
 - 2. Determine if the student can participate in the Resource Specialist program or attend a special day class at his/her regular neighborhood school campus. The IEP shall specify the extent to which the student will be mainstreamed into regular education classes and activities and, if needed, the supplemental aides and services to be provided.
- B. If the IEP team determines that placement at a student's neighborhood school campus cannot be satisfactorily accomplished, the IEP team shall:
 - 1. Document why a different school site is necessary, including why education at the neighborhood school site with supplemental aids and services cannot be achieved satisfactorily.
 - 2. For students being transitioned to the neighborhood school setting for all or part of the school day, specify the timeline for transition as well as the activities needed to support the transition.

(See Section 5 Appendix A Least Restrictive Environment Policy.)

5.A. The SELPA has developed a facilities allocation plan for distributing classes throughout the SELPA. Every attempt is made to place classes on general education sites where students can have continuing interaction with non-disabled peers. Students are only placed on isolated sites when an IEP team determines that that is the least restrictive environment. The IEP team specifies why an isolated site/program is the least restrictive environment for that student on the IEP. (See Section 5 Appendix A Marin SELPA Facilities Plan. See Section 4 Appendix A IEP Form page 16.)

5.A.1. The Marin SELPA Facilities Plan describes the process used to assign special education programs to locations on general education campuses and appropriate disbursement throughout the SELPA and member LEAs. (See Section 5

Appendix B. Marin SELPA Facilities Plan.)

5.B. By placing special education classes on regular school campuses continuing social interaction with nondisabled students is facilitated.

5.B.1. The Marin SELPA Facilities Plan describes procedures for allocating space on regular school campuses to facilitate continuing social interaction with nondisabled students. (See Section 5 Appendix A Marin SELPA Facilities Plan.)

5.C.

5.C.1. Students placed on a general education sites will have 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.C.2. The IEP form contains a statement of supplementary aids and services that the child needs to ensure the child's participation in general education. (See Section 4 Appendix A IEP form page 16.)

5.C.3. The IEP form contains a statement that children will participate in a general education environment with non-disabled peers unless the child's full time involvement and progress in general education curriculum is precluded by the nature and severity of the disability. (See Section 4 Appendix A IEP form page 2.)

5.D. SELPA policies and procedures emphasize the inclusion of disabled students with non-disabled peers with equal access to general education programs and school personnel, with any needed accommodations, to the same extent as general education students.

5.D.1. The IEP team will determine the how the student will participate with non-disabled peers with equal access in general education programs and what accommodations, if any, are needed. All school personnel will be encouraged to facilitate opportunities for social interaction between individuals with disabilities and nondisabled individuals. (See Section 5 Appendix C Criteria and Procedures for Reimbursement of Low Incidence Equipment.)

5.E.

5.E.1. SELPA policies and procedures emphasize the inclusion of disabled students with non-disabled peers with maximum access to appropriate general education programs, with any needed accommodations.

5.E.2. School personnel are given necessary support to ensure the students success. It is the responsibility of the Advisory Steering Committee (ASC) to make programmatic recommendations to the Operational Steering Committee (OSC) to ensure that the needs of disabled students are met. It is the responsibility of OSC to make final

programmatic and fiscal decisions. (See Section 12-13 Appendix A.)

5.F.

- 5.F.1. No student will be referred for special education unless the resources of general education have been considered and where appropriate utilized. The Referral for Special Education Service Form and Regular School Program Accommodations Form documents accommodations made prior to referral for Special Education Services. (See Section 5 Appendix D Referral for Special Education Services Form and Regular School Program Accommodation Form.) Every effort is made to accommodate students needs through Section 504 of the Vocational Rehabilitation Act as Amended in 1992. Accommodations are documented in Student Study Teams and 504 Accommodation Plans.

5.G.

- 5.G.1. The SELPA developed policies and procedures for distributing specialized equipment to eligible students throughout the SELPA during the 1998-1999 school year. As often as possible, this equipment is made available to eligible students on general education sites. Assistive technology evaluation is also available, as determined by IEP teams, to individual students. (See Section 5 Appendix B Criteria and Procedures for Reimbursement of Low Incidence Equipment.)

**SECTION 5
APPENDIX A**

Marin Special Education Local Plan Area
LEAST RESTRICTIVE ENVIRONMENT POLICY

Marin Special Education Local Plan Area

LEAST RESTRICTIVE ENVIRONMENT POLICY

The school districts comprising the Marin Special Education Local Plan Area believe that special education is an integral part of the educational process and not separate in any way. Special education is a means of supporting the capacity of the educational system to serve the needs of all students.

It is the intent of the districts in the Marin SELPA to serve disabled students in the least restrictive environment consistent with their academic and non-academic needs. Students with disabilities shall receive their education in chronologically age-appropriate general education classrooms at neighborhood school sites unless there is an educationally compelling reason why this cannot be accomplished. The following guidelines will be utilized in order to achieve the least restrictive environment for disabled students:

- a.) To the maximum extent appropriate, individuals with exceptional needs will attend the school they would attend if not disabled.
- b.) Removal from the general education classroom environment shall occur only when the nature of the disability is such that education in regular classes, with the use of special education and related services, cannot be achieved satisfactorily.
- c.) To the maximum extent appropriate, individuals with exceptional needs shall be placed in programs that will ensure maximum interaction with the regular classroom and school environment.
- d.) Individuals with exceptional needs shall have equal access to all activities, programs and facilities on the general school site. Participation in activities will be determined upon the individual needs of the disabled student.
- e.) Special day classes will be included in discussions regarding long range planning. Commitments for classroom space on regular school campuses will continue in order to avoid frequent program relocations and to allow individuals with exceptional needs to develop relationships with non-disabled peers and access to appropriate general education programs.
- f.) The IEP team shall determine the extent to which an individual with exceptional needs participates in general classroom education with non-disabled peers. The determination of appropriate program placement, related services needed and curriculum options offered is made by the IEP team based on the individual needs of the disabled student.

SECTION 5
APPENDIX B

Marin Special Education Local Plan Area

FACILITIES PLAN

Marin Special Education Local Plan Area
**CRITERIA AND PROCEDURES FOR
REIMBURSEMENT OF
LOW INCIDENCE EQUIPMENT**

**SECTION 5
APPENDIX D**

Marin Special Education Local Plan Area

**REFERRAL FOR SPECIAL EDUCATION SERVICES FORM
REGULAR SCHOOL PROGRAM ACCOMMODATIONS FORM**

6. Procedural Safeguards

6. Procedural Safeguards

Federal Requirements (20 USC 1412 (a)(6), 20 USC 1415)

6.A. The Marin SELPA Parental Rights and Procedural Safeguards for Special Education is the written notification provided to parents informing them of their procedural safeguards.

6.A.1 The Marin SELPA Parental Rights and Procedural Safeguards for Special Education will be given to parents upon: 1) initial referral for evaluation of their child for special education service, 2) each notification of an IEP meeting, 3) reevaluation of their child, and 4) registration of a complaint or a request for a due process hearing. (See Section 4 Appendix C IEP Parent Notification and Participation.)

6.A.2. The Marin SELPA Parental Rights and Procedural Safeguards for Special Education describes the process for meeting the needs of parents whose primary language is not English. (See Section 4 Appendix C IEP Parent Notification and Participation.)

7. Annual and Triennial Assessments

7. Annual and Triennial Assessments

Federal Requirements: (20 USC Section 1412 (a)(7), 1414 (a-c), 34 CFR 300.128, 300.220)

California Requirements: EC 56320-333, 56380(a), CCR Title 5-3021-3029

7.A. The Marin SELPA procedures for IEP Parent Notification and Participation ensures that each LEA in the SELPA completes annual assessments within required timelines. (See Section 4 Appendix C IEP Parent Notification and Participation.)

7.B. The Marin SELPA IEP Parent Notification and Participation ensures that each LEA in the SELPA completes triennial assessments within required timelines. The Management Information System provides for the identification of the dates of annual and triennial assessments (See Section 7 Appendix A SERVE Form.) (See. Section 4 Appendix C IEP Parent Notification and Participation.)

**SECTION 7
APPENDIX A**

Marin Special Education Local Plan Area

SERVE FORM

8. Confidentiality

8. Confidentiality

Federal Requirements: 20 USC 1412 (a)(8), 1417(c)

The Marin SELPA will maintain the confidentiality of student records as required by Federal and State Laws and Regulations. (Refer to Statement of Assurances.)

9. Transition from Early Intervention Service Under Part C of IDEA (subchapter III, commencing with Section 1431 of Title 20 of the United States Code to the Preschool Program under Part B of IDEA.)

9. Transition from Early Intervention Service Under Part C of IDEA (subchapter III, commencing with Section 1431 of Title 20 of the United States Code to the Preschool Program under Part B of IDEA.)

Federal Requirement: 20 USC 1412(a)(9)

State Requirements: 17 CCR 52112(a)

9.A. The Marin SELPA Interagency Agreement with the Golden Gate Regional Center ensure a smooth transition for children (beginning at 2 years 6 months of age) from early intervention programs sponsored under Part C of IDEA to preschool programs under Part B of IDEA.

Marin is a multidistrict SELPA.

9.A.1. The Marin SELPA Interagency Agreement with the Golden Gate Regional Center describe how the following is accomplished by the time the child is 2 years 9 months old or earlier if all parties agree.

9.A.1.a. At age 2 years 6 months old the GGRC IFSP Service Coordinator notifies the LEA of residence and the parents. (See Section 9 Appendix B Interagency Agreement with Golden Gate Regional Center Memorandum of Understanding [MOU] page 7.)

9.A.1.b. It is the responsibility of the LEA Case Manager to schedule a joint Individual Family Service Plan (IFSP) Meeting for the purpose of developing a Transition Plan within 30 days of the parent and LEA notification. The IFSP Meeting and a Transition Plan is developed prior to the child attaining the age of thirty-three (33) months) (See Section 9 Appendix B Interagency Agreement with Golden Gate Regional Center MOU page 7.)

9.A.1.c. The LEA Case Manager schedules and participates in the joint IFSP Meeting for the purpose of developing a Transition Plan. (See Section 9 Appendix B Interagency Agreement with Golden Gate Regional Center MOU page 7.)

9.A.2. The procedures for the IFSP describe the following:

9.A.2.a. The Marin SELPA Interagency Agreement with the Golden Gate Regional Center describe opportunities for consultations with parents for a child who may or may not be eligible at 3 years of age regarding: (See Section 9 Appendix B Interagency Agreement with Golden Gate Regional Center MOU page 7.)

9.A.2.b. The transitions steps (See Section 9 Appendix B Interagency Agreement with Golden Gate Regional Center MOU page 7 and Section 9 Appendix D Part H Referral Process.)

9.A.2.c. Information about community resources is provided to the parent and recorded on the IFSP (See Section 9 Appendix B Interagency Agreement with Golden Gate Regional Center MOU page 5 and Section 9 Appendix D IFSP and Family Needs Profile.)

9.A.2.d. The identification of those people responsible for convening the IEP and final IFSP (See Section 9 Appendix B Interagency Agreement with Golden Gate Regional Center MOU pages 5-8.)

9.A.2.e. The process for accepting a referral and completing assessments for children who may be eligible for Part B services at 3 years of age (See Section 9 Appendix B Interagency Agreement with Golden Gate Regional Center MOU page 3-5 and Section 9 Appendix D Part H Referral Process.)

9.A.2.f. How information is transmitted and received including assessment, IFSPs, etc. (See Section 9 Appendix B Interagency Agreement with Golden Gate Regional Center MOU page 3-8 and Section 9 Appendix D Early Start Referral Form, IFSP form and Part H Referral Process.)

9.B.1. The Marin SELPA Interagency Agreement with the Golden Gate Regional Center procedures for the final IFSP/IEP, or if necessary IPP meeting, include:

9.B.1.a. Ensuring the attendance of a regular education preschool teacher at the IEP/IFSP meeting (See Section 9 Appendix D Interagency Agreement with Golden Gate Regional Center Part H Referral Process. See also Section 9 Appendix E Head Start Interagency Agreement page 2-4.)

9.B.1.b. Ensuring the IEP includes regular preschool activities in which the child with a disability will participate (See Section 4 Appendix A Marin SELPA IEP form page 2.)

9.b.1.c. Ensuring that the IEP is completed and the child receives services at the age of 3 or the date specified on the IEP. (See Section 9 Appendix B Interagency Agreement with Golden Gate Regional Center MOU page 8 and Section 9 Appendix D Part H Referral Process.)

**SECTION 9
APPENDIX A**

Marin Special Education Local Plan Area

INTERAGENCY AGREEMENT

BY AND BETWEEN

MARIN COUNTY SPECIAL EDUCATION LOCAL PLAN AREA

AND

GOLDEN GATE REGIONAL CENTER

SECTION 9
APPENDIX B

Marin Special Education Local Plan Area
MEMORANDUM OF UNDERSTANDING
REGARDING PART C SERVICES

**SECTION 9
APPENDIX C**

Marin Special Education Local Plan Area

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**SECTION 9
APPENDIX D**

Marin Special Education Local Plan Area

EARLY START REFFERAL FORM

INDIVIDUALIZED FAMILY SERVICE PLAN
(IFSP)

PART C REFERRAL PROCESS
FROM GOLDEN GATE REGIONAL CENTER
TO
MARIN COUNTY OFFICE OF EDUCATION
PRESCHOOLPROGRAM

FAMILY NEEDS PROFILE

**SECTION 9
APPENDIX E**

Marin Special Education Local Plan Area

INTERAGENCY AGREEMENT

MARIN HEAD START

AND

MARIN SPECIAL EDUCATION LOCAL PLAN AREA

10 Children in Private Schools

10. Children in Private Schools

Federal Requirement: 20 USC Section 1412 (a) (10) (A-C), CFR 300.454¹

10.A. The Marin SELPA Policy and Procedures: Children with Disabilities Enrolled by Their Parents in Private Schools describes how SELPA/member LEAs consult with appropriate representatives of private school children with disabilities regarding decisions about services provided to children attending private schools.

10.A.1. The Marin SELPA Policy and Procedures: Children with Disabilities Enrolled by Their Parents in Private Schools describe opportunities for appropriate input in a timely and meaningful way regarding their participation and decisions affecting the participation of children in private schools, including preschools. (See Section 10 Appendix A Policy and Procedures: Children with Disabilities Enrolled by Their Parents in Private Schools page 3-5.)

10.A.2. The Marin SELPA Policy and Procedures: Children with Disabilities Enrolled by Their Parents in Private Schools describe opportunities for consultations regarding:

10.A.2.a. Which children will receive services. (See Section 10 Appendix A Policy and Procedures: Children with Disabilities Enrolled by Their Parents in Private Schools page 3-5.)

10.A.2.b. What services will be provided: (See Section 10 Appendix A Policy and Procedures: Children with Disabilities Enrolled by Their Parents in Private Schools page 3-5.)

10.A.2.c. How and when the services will be provided: (See Section 10 Appendix A Policy and Procedures: Children with Disabilities Enrolled by Their Parents in Private Schools page 3-5.)

10.A.2.d. How the services will be evaluated: (See Section 10 Appendix A Policy and Procedures: Children with Disabilities Enrolled by Their Parents in Private Schools page 3-5. See Section 10 Appendix B ISP Form page 2).

10.A.3. The Marin SELPA Policy and Procedures: Children with Disabilities Enrolled by Their Parents in Private Schools include opportunities for consultation with appropriate representatives of the Private school children prior to the LEA making final decisions affecting the services to those children. (See Section 10 Appendix A Policy and Procedures: Children with Disabilities Enrolled by Their Parents in Private Schools page 4.)

10.B. The Marin SELPA Policy and Procedures: Children with Disabilities Enrolled by Their Parents in Private Schools include the requirement to provide child find. (See Section 10 Appendix A Policy and Procedures: Children with Disabilities Enrolled by Their Parents in Private Schools page 3.)

10.B.1. The Marin SELPA Policy and Procedures: Children with Disabilities Enrolled by Their Parents in Private Schools ensures that a representative of the private school attends each meeting to develop, review or revise the services plans. (See Section 10 Appendix A Policy and Procedures: Children with Disabilities Enrolled by Their Parents in Private Schools page 4.)

10.B.2. The Marin SELPA Policy and Procedures: Children with Disabilities Enrolled by Their Parents in Private Schools describes how participation by the private school shall be ensured if the representative cannot attend the meeting. (See Section 10 Appendix A Policy and Procedures: Children with Disabilities Enrolled by Their Parents in Private Schools page 4.)

**SECTION 10
APPENDIX A**

Marin Special Education Local Plan Area

CHILDREN WITH DISABILITIES

ENROLLED BY THEIR PARENTS

IN

PRIVATE SCHOOLS

SECTION 10
APPENDIX B

Marin Special Education Local Plan Area

INDIVIDUAL SERVICES PLAN

**SECTION 10
APPENDIX C**

Marin Special Education Local Plan Area

CHILDREN WITH DISABILITIES

ENROLLED BY THEIR PARENTS

IN

PRIVATE SCHOOLS

SAMPLE PARENT LETTERS AND ENCLOSURES

11. Compliance Assurances

11. Compliance Assurances

Federal Requirements: 20 USC 1412

California Requirements: (EC 56205 (a) (11))

The Marin SELPA will maintain compliance with federal and state requirements (Refer to Statement of Assurances Section 8.)

12-13 GOVERNANCE

12-13 Governance

Federal Requirements: 20 USC 1412 (a), 20 USC 1413 (a) (1), (20 USC 1413 (a) (5) 9)

*State Requirements: E.C. 56001 (f)*¹ *56190-4*⁶, *56195,1 (b) (c)*⁵, *56195.3*², *56195,9*³, *56205 (a) (12)*⁴, *56205 (b) (4)*⁸, *56205 ((b) (5))*⁷, *47640-47647*¹⁰

12-13 B. The Marin Special Education Local Plan Area is a multidistrict SELPA.

12-13.B.1.A. The Local Plan identifies the governing body and elected officials to whom the governing body is responsible. (See Section 12-13 Appendix A Agreement Regarding the Organization, Implementation, Administration and Operation of the Marin SELPA.)

12-13.B.2. The Marin SELPA operates under the Agreement Regarding the Organization, Implementation, Administration and Operation of the Marin SELPA. (See Section 12-13 Appendix A Agreement Regarding the Organization, Implementation, Administration and Operation of the Marin SELPA.)

12-13.B.2.a. The Agreement Regarding the Organization, Implementation, Administration and Operation of the Marin SELPA. (See Section 12-13 Appendix A Agreement Regarding the Organization, Implementation, Administration and Operation of the Marin SELPA.) includes:

12-13.B.2.a.1.

12-13 B.2.a.1.a. A provision of a governance structure and necessary administrative support to implement the plan.

12-13.B.2.a.2.

12-13.B.2.a2.A. A system for determining the responsibility of participating agencies for the education each individual with exceptional needs attending school in the SELPA. This includes students attending charter schools where a member LEA of the SELPA has granted that charter. (See also Section 12-13 Appendix D Charter School Policy.)

12-13.B.2.a.3.

12-13.B.2.a.3.A. The Marin County Superintendent of Schools/Board of Education shall serve as the responsible local administrative agency for the SELPA to perform functions such as receipt and distribution of funds, provision of administrative support and coordination of the implementation of the plan.

12-13.B.3. The Agreement Regarding the Organization, Implementation, Administration and Operation of the Marin SELPA (See Section 12-13 Appendix A Agreement Regarding the Organization, Implementation, Administration and Operation of the Marin SELPA.) includes a description of:

12-13.B.3.a.

12-13.B.3.a.1. The role and responsibilities of each participating county office and district governing board members in the policymaking process. (See also Section 12-13 Appendix B Description of the Governance and Administration of the Marin SELPA.)

12-13.B.3.b.

12-13.B.3.b.1. The responsibilities of district and county administrators of special education in coordinating the administration of the local plan.. (See also Section 12-13 Appendix B Description of the Governance and Administration of the Marin SELPA.)

12-13.B.3.c.

12-13.B.3.c.1.

12-12.B.3.c.1.a. The respective roles of the RLA and the SELPA Director and the individual local education agencies within the special education local plan area in relation to the hiring, supervision, evaluation and discipline of the SELPA Director and SELPA staff employed in support of the local plan.

12-13.B.3.c.2.

12-13.B.3.c.2.a.

12-13.B.3.c.2.b. The method for determining allocation from the state of federal and state funds to the special education local plan area administrative unit and to local education agencies within the special education local plan area and a description of the respective roles of the administrative unit, the SELPA Director and the individual local education agencies within the SELPA. (See also Section 10 Appendix E Marin County SELPA AB 602 Fiscal Allocation Plan.)

12-13.B.3.c.3.

12-13.B.3.c.3.a. The description of the respective roles of the RLA, SELPA Director, and the individual local education agencies within the special education local plan area in relation to the operation of special education programs including the provision of services to students with disabilities in charter schools. (See also Section 10 Appendix B Description of the Marin SELPA and Section 12-13 Appendix D Charter School Policy.)

12-13.B. 3.c. 3.A,

12-13.B.3.c.3.A.1. A description of the respective roles of the RLA, SELPA Director, and the individual local education agencies within the SELPA in relation to monitoring the appropriate use of federal, state, and local funds allocated for special education programs.

12-12.B.3.c.3.

12-13.B.3.c.3.B.1 A description of the respective roles of the RLA, SELPA Director, and the individual local education agencies within the SELPA in relation to the preparation of program and fiscal reports required of the special education local plan area by the state. (See also Section 12-13 Appendix B Description of the Governance and Administration the Marin SELPA.)

12-13.B.4. 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 other governance activities specified within the plan.

12-13.B4.a The Local Plan includes a description of a dispute resolution process, that includes: 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 plan. (See Section 12-13 Appendix A Agreement Regarding the Organization, Implementation, Administration and Operation of the Marin SELPA.)

12-13.C.1

12-13.C.1.a.

12-13.C.1.a.1.

12-13.C.1.a.1.A.

12-13.C.1.a.1.B.

12-13.C.1.a.1.C

12-13.C.1.a.1.D

12-13.C.1.a.1.E The Description of the Governance and Administration of the Marin SELPA describes the SELPA's process for selecting representatives of special and general education teachers, administrators and representatives of charter and preschools from the groups they represent for the development of the local plan. (See Section 12-13 Appendix B Description of the Governance and Administration of the Marin SELPA.)

12-13.C.1.b.

12-13.C.1.b.1.A.

12-13.C.1.b.1.B

12-13.C.1.b.1.C

12-13.C.1.b.1.D

12-13.C.1.b.1.E The Description of the Governance and Administration of the Marin SELPA describes how the local plan was developed cooperatively with input obtained from: the community advisory committee (CAC and others with appropriate representation from special and regular teachers, parents, parent members of the CAC or selected by the CAC, administrators and representatives of charter schools operated within the SELPA. (See Section 12-13 Appendix B Description of the Governance and Administration of the Marin SELPA.)

12-13.C.1.c.

12-13.C.1.c.1.A

12-13.C.1.c.1.B

12-13.C.1.c.1.C

12-13.C.1.c.1.D The Description of the Governance and Administration of the Marin SELPA includes the schedules of regular consultation regarding policy and budget development with representatives of the following groups: special and regular education teachers, parent members of the CAC, Chief Business Officials, and administrators. (See Section 12-13 Appendix B Description of the Governance and Administration of the Marin SELPA.)

12-13.C.1.d.

12-13.C.1.d.1.

12-13.C.1.d.2.

12-13.C.1.d.2.A.

12-13.C.1.d.2.B.

12-13.C.1.d.2.C.

12-13.C.1.d.2.D.

12-13.C.1.d.2.E.

12-13.C.1.d.2.F.

12-13.C.1.d.2.G.

12-13.C.1.d.2.H.

12-13.C.1.d.2.I. The Special Education Advisory Committee (SEAC) is the community advisory committee that has been established in the Marin SELPA. SEAC membership includes: parents of individuals with exceptional needs enrolled in public or private schools; parents of other pupils enrolled in school; pupils with disabilities; adults with disabilities; regular education teachers; special education teachers; other school personnel; representatives of other public and private agencies; and persons concerned with the needs of individuals with exceptional needs. (See Section 12-13 Appendix C Special Education Advisory Committee (SEAC) Membership, Organization and Operation.)

12-13.C.1.d.3. At least a majority of SEAC is composed of parents of pupils enrolled in schools participating in the local plan and at least a majority of such parents shall be parents of individuals with exceptional needs. . (See Section 12-13 Appendix C Special Education Advisory Committee (SEAC) Membership, Organization and Operation.)

12-13.C.1.d.4. The Marin SELPA plan describes the process to appoint members of SEAC. Where appropriate this procedure provides for selection of representative by their peers. (See Section 12-13 Appendix C Special Education Advisory Committee (SEAC) Membership, Organization and Operation.)

12-13.C.1.e.

12-13.C.1.e.1. The Marin SELPA plan describes 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 SELPA Director. (See Section 12-13 Appendix B Description of the Governance and Administration of the Marin SELPA. See also Section 12-13 Appendix C Special Education Advisory Committee (SEAC) Membership, Organization and Operation.)

12-13.C.2. The Description of Governance and Administration of the Marin Special Education Local Plan includes a description of regionalized operations and services and the direct instructional support provided by the SELPA Director and SELPA staff. (See Section 12-13 Appendix B Description of the Governance and Administration of the Marin SELPA)

12-13.C.2.a. The Description of Governance and Administration of the Marin

Special Education Local Plan includes a description of regionalized operations including:

12-13.C.2.a.1. Coordination of the SELPA and administration of the plan. (See Section 12-13 Appendix B Description of the Governance and Administration of the Marin SELPA)

12-13.C.2.a.2. A coordinated system of identification and assessment. . (See Section 12-13 Appendix B Description of the Governance and Administration of the Marin SELPA)

12-13.C.2.a.3. A coordinated system of procedural safeguards. . (See Section 12-13 Appendix B Description of the Governance and Administration of the Marin SELPA. See also Section 6 Appendix A Parents Rights and Procedural Safeguards.)

12-13.C.2.a.4. A coordinated system of staff development and parent education. (See Section 12-13 Appendix B Description of the Governance and Administration of the Marin SELPA. See also Section 14-15 Comprehensive System of Personnel Development/Personnel Standards.)

12-13.C.2.a.5. A coordinated system of curriculum development and alignment with the core curriculum. (See Section 12-13 Appendix B Description of the Governance and Administration of the Marin SELPA. See also Section 14-15 Comprehensive System of Personnel Development/Personnel Standards.)

12-13.C.2.a.6. A coordinated system of internal program review, evaluation of the effectiveness of the local plan and implementation of a local plan accountability mechanism. (See Section 12-13 Appendix A Agreement Regarding the Organization, Implementation, Administration and Operation of the Marin SELPA. See also Section 12-13 Appendix B Description of the Governance and Administration of the Marin SELPA. See also Annual Service and Budget Plans.)

12-13.C.2.a.7. A coordinated system of data collection and management. ((See Section 12-13 Appendix A Agreement Regarding the Organization, Implementation, Administration and Operation of the Marin SELPA See also Section 12-13 Appendix B Description of the Governance and Administration of the Marin SELPA.)

12-13.C.2.a.8. A coordination of interagency agreements. (See Section 12-13 Appendix A Agreement Regarding the Organization, Implementation, Administration and Operation of the Marin SELPA. See also Section 12-13 Appendix B Description of the Governance and Administration of the Marin SELPA.)

12-13.C.2.a.9. A coordination of services to medical facilities. (See Section 12-13 Appendix B Description of the Governance and Administration of the Marin SELPA.)

12-13.C.2.a.10 A coordination of services to licensed children's facilities and foster family homes. (See Section 12-13 Appendix B Description of the Governance and Administration of the Marin SELPA.)

12-13.C.2.a.11. Preparation and transmission of required special education local plan area reports. (See Section 12-13 Appendix A Agreement Regarding the Organization, Implementation, Administration and Operation of the Marin SELPA. See also Section 12-13 Appendix B Description of the Governance and Administration of the Marin SELPA.)

12-13.C.2.a.12. Fiscal and logistical support of the community advisory committee. (See Section 12-13 Appendix C Special Education Advisory Committee (SEAC) Membership, Organization and Operation.)

12-13.C.2.a.13. Coordination of transportation services for individuals with exceptional needs. (See Section 12-13 Appendix B Description of the Governance and Administration of the Marin SELPA.)

12-13.C.2.a.14. Coordination of career and vocational and transition services. The IEP team shall be responsible for including career, vocational and transition services in the IEP for students at least 14 years of age and older. The students IEP must include a description of transition activities or goals and the interagency responsibilities and/or linkages. (See Section 4 Appendix A Individualized Education Program (IEP) pages 7-9.)

12-13.C.2.a.15. Assurance of full education opportunity. (See Section 12-13 Appendix B Description of the Governance and Administration of the Marin SELPA. See also Section 2 Full Education Opportunity.)

12-13.C.2.a.16. Fiscal administration and the allocation of state and federal funds pursuant to 56836.01 (See Section 12-13 Appendix A Agreement Regarding the Organization, Implementation, Administration and Operation of the Marin SELPA. See also Section 12-13 Appendix B Description of the Governance and Administration of the Marin SELPA. See also Section 12-13 Appendix E AB602 Fiscal Allocation Plan.)

12-13.C.2.a.17 The Marin SELPA does not employ program specialists.(See Section 12-13 Appendix B Description of the Governance and Administration of the Marin SELPA.)

12-13.C.3

12-13.C.3.1 The Agreement Regarding the Organization, Implementation, Administration and Operation of the Marin SELPA describes the responsibilities of the superintendents of each participating district and county in the implementation of the plan. (See Section 12-13 Appendix A Agreement Regarding the Organization, Implementation, Administration and Operation of the Marin SELPA. See also Section 12-13 Appendix B Description of the Governance and Administration of the Marin SELPA.)

**SECTION 12-13
APPENDIX A**

Marin Special Education Local Plan Area

AGREEMENT REGARDING THE
ORGANIZATION, IMPLEMENTATION, ADMINISTRATION
AND OPERATION OF THE
MARIN SPECIAL EDUCATION LOCAL PLAN AREA

AGREEMENT REGARDING THE ORGANIZATION,
IMPLEMENTATION, ADMINISTRATION AND OPERATION OF
THE MARIN SPECIAL EDUCATION LOCAL PLAN AREA

A. Purpose

The Marin County Superintendent/Board of Education and all elementary, high school and unified school district Boards of Trustees located within Marin County, California, hereby form a county-wide special education local plan area as authorized and described in Education Code Section 56170(c) for the purpose of providing coordinated programs and services to disabled students residing within Marin County. The school districts Boards and the County Superintendent/Board of Education agree to adhere to the following conditions relative to the organization, implementation, administration and operation of the Marin Special Education Local Plan Area (Marin SELPA):

B. Governance

1. The Marin Special Education Local Plan Area shall include all public school districts/Local Education Agencies (LEAs) located within the county and the County Office of Education, and will serve all eligible individuals with exceptional needs residing within the boundaries of the school districts/LEAs. The County Superintendent of Schools/Board of Education (the Marin County Office of Education) shall serve as the Responsible Local Administrative Agency (RLA) for the SELPA.
 - a. The Marin County Office of Education shall be considered as a school district for all purposes of this agreement except where referred to as the RLA.
 - b. The County Superintendent/Board of Education will serve as the governing board for the SELPA (RLA Board).
 - c. The RLA is designated to perform such functions as receipt and distribution of funds.
 - d. The RLA Board is responsible for approving only its portion of the annual service and budget plans. The development of the annual service and budget plans shall coincide with the RLA budget process.
2. Boards of trustees of school districts and the RLA Superintendent/Governing Board shall develop and adopt policies and procedures for the special education programs and services provided in the Marin Special Education Local Plan Area. Such policies shall and procedures shall include, but not be limited to, all areas specified in applicable sections of the Education Code.
 - a. District boards of trustees will provide input on policy development through their representatives on the Operational Steering Committee (OSC)

3. There shall be an administrative committee henceforth called the OPERATIONAL STEERING COMMITTEE (OSC).

- a. The OPERATIONAL STEERING COMMITTEE (OSC) is composed of a Superintendent from each of six areas within the county.
- b. Areas of Representation and their allotted votes on the Operational Steering Committee shall be as follows:

<u>Area</u>	<u>Vote</u>
(1) Tamalpais Larkspur Ross	1 Vote
(2) Ross Valley Nicasio Lagunitas Shoreline	1 Vote
(3) Bolinas Sausalito Mill Valley Kentfield Reed	1 Vote
(4) Dixie San Rafael Elementary San Rafael High	1 Vote
(5) Novato Unified	1 Vote
(6) Marin County Superintendent (Who will Also represent Lincoln, Laguna and Union)	1 Vote

- c. OSC voting members must be a superintendent in areas 1 through 4. Each year, each Area 1-4 will select a superintendent as its representative to OSC. Each Area 1-4 will also select an alternate superintendent is unable to attend. superintendent(s) as a substitute for the appointed superintendent. A deputy or assistant superintendent may represent areas 5 and 6, if the superintendent is unable to attend.
- d. Four voting members shall constitute a quorum. Four votes are needed to approve any action.

- e. The OSC is encouraged to meet monthly. The OSC will meet at least three (3) times annually. The OSC will approve major operational decisions in the SELPA such as, but not limited to the following:
 - (1) Sets policy and direction for the SELPA
 - (2) Participates through its chairperson with the County Superintendent in the selection, supervision and evaluation of the SELPA Director. Participates through its chairperson with the County Superintendent in the selection of SELPA staff.
 - (3) Approves SELPA financial actions including: distribution of special education funding to districts that operate special education programs and services; development of cost containment agreements and procedures; approval of the Regionalized Services budget.
 - (4) Monitors the appropriate use of federal, state and local funds allocated for special education programs.
 - (5) Reviews and approves needed modification of this agreement on behalf of all districts in the SELPA. Adopts 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 service and budget plan process and upon subsequent approval of the State Board of Education.
 - (6) Approves the SELPA-wide annual service and budget plans, and subsequent modifications.
 - (7) Approves other agreement including, but not limited to Inter SELPA and interagency agreements, facility agreements and billback agreements.
 - (8) Approves operations manual and handbooks to assist in the implementation of the Local Plan. These implementation tools are not considered a permanent portion of the Local Plan and are included in the Local Plan as reference materials only.

- f. The OSC shall elect, each year, a superintendent who may or may not be an OSC member to serve as chairperson. If the OSC chairperson is unable to attend an OSC meeting, the OSC will elect a substitute chairperson for the meeting.

- g. The SELPA Director will serve as the Executive Secretary to the OSC and will provide staff assistance to the OSC and serve as liaison with the RLA Board. The OSC chairperson will participate with the Marin County Superintendent of Schools in the selection, supervision and evaluation of the SELPA Director and will evaluate the Director's job performance. The SELPA Director will be an employee of the Marin County Superintendent of Schools.

- h. The OSC will make recommendations to the RLA Board for action, including but not limited to recommendations regarding policies and procedures, the regionalized services and staff development budgets.

4. Each district superintendent is responsible for:
 - a. Receiving and reviewing information and providing input and/or recommendations to OSC.
 - b. Providing input and or recommendations to and from his/her Board regarding policies, procedures and operation of the special education program.

5. There shall be an ADVISORY STEERING COMMITTEE (ASC) composed of the superintendent or his/ her special education designee from each school district. The SELPA DIRECTOR/designee shall serve as the chairperson of the ASC. ASC will serve as the advisory committee to the Operational Steering Committee (OSC) and will carry out those functions specified in state law and the local plan. The ASC shall perform duties such as but not limited to the following:
 - a. Recommend programmatic decisions and decisions regarding the operation of special education in the Marin SELPA.
 - b. Recommend policies, procedures and financial actions to OSC.
 - c. Review and recommend needed modification of this agreement and the Local Plan, with input from the Special Education Advisory Committee, to OSC.
 - d. Provide program/services and coordination within the SELPA so as to assure the availability of appropriate special education to all eligible individuals with disabilities.
 - e. Review and recommend all procedural handbooks developed for us in the Marin SELPA to OSC.
 - f. Recognize the importance of mutual cooperation and the value of parent input, by encouraging the Special Education Advisory Committee to send a nonvoting liaison to the ASC.

6. There shall be a community advisory committee, known as the SPECIAL EDUCATION ADVISORY COMMITTEE (SEAC). SEAC will have representation and carry out functions as specified in Appendix C of the Marin SELPA Local Plan. SEAC will serve as an advisory body to the ADVISORY STEERING COMMITTEE and will carry out those functions specified in State law and in this Local Plan.

7. There shall be a BUSINESS ADVISORY COMMITTEE (BAC) made up of the chief business officers from each district serving on OSC. This committee shall advise the SELPA Director, ASC and OSC on all special education budgets and special education fiscal policies and procedures. The BAC will make recommendations regarding the allocation of special education funds. All district business offices will follow SELPA approved procedures for reporting special education income and expenditures for each of the types of programs or services provided within the SELPA.

C. School Districts Responsibilities

1. Each district in the Marin Special Education Local Plan Area can choose to operate or not to operate the special education programs and services as specified in the Marin SELPA Plan.
 - a. The type, number and location of classes, programs, and services will be recommended by the ASC and approved by OSC.
 - b. If a district chooses to operate the program(s) it will do so under the following conditions:
 - (1) Income is derived from the district's federal and state allocation and general fund contribution (encroachment).
 - (2) The operator has hiring/firing rights and responsibilities.
 - (3) There will be no excess funding from the Marin SELPA, RLA or other districts if the operator's expenditure exceeds the income, unless a separate agreement has been approved by OSC
 - (4) The program will be operated by guidelines established by the Marin Special Education Local Plan Area, this includes accepting students from other districts within the SELPA into the program as agreed to by an IEP team. A representative of the operating district will be invited to the IEP team meeting.
 - c. If a district chooses not to operate its program(s), the district must notify the SELPA Director by March 15 of the prior school year if it plans to not operate program(s) for the succeeding school year, in accordance with State timelines, laws and regulations.
 - d. If a district decides to operate programs it previously chose not to operate, it must notify the SELPA Director by January first of the preceding school year, in accordance with State timelines, laws and regulations.
 - e. All transfer of programs must also follow the program timelines and funding provisions specified in all applicable sections of the Education Code.
2. Each participating school district shall cooperate with the SELPA in the provision of staff development activities as specified in applicable sections of the Education Code.
3. Each school district shall provide program, employee, student and fiscal information as needed to the SELPA to facilitate program coordination, fiscal accountability, budget preparation, staff acquisition and training and state, federal and local reporting.
4. Each school district, through the OPERATIONAL STEERING COMMITTEE (OSC), the ADVISORY STEERING COMMITTEE (ASC), the BUSINESS

ADVISORY COMMITTEE (BAC) and the SPECIAL EDUCATION ADVISORY COMMITTEE (SEAC), will assist the SELPA in regional planning and preparation of the Marin Special Education Local Plan, annual programmatic, student and program evaluation, and fiscal reports as required by State and Federal laws and regulations.

5. Each school district is responsible to provide facilities for special education students per a separate Facilities Agreement, approved by the OSC. (See Section 5 Appendix A Facilities Plan.)
6. Each school district is responsible for approving only its portion of the annual services and budget plans. The development of annual services and budget plans should coincide with the local district budget process.

D. Operating School District Responsibilities

1. Identification, referral and placement of special education students will be done in accordance with Education Code Sections 56300 et. seq., requirements and pertinent CCR Title 5 regulations. Operating school districts will utilize the Management Information System forms to record, document and report student referrals, assessments, program planning, parent involvement and notifications, placements and evaluations.
2. Procedural safeguards will be followed by each operating school district, in accordance with State and Federal laws and regulations.
3. Interagency agreements between the State Department of Education and other public agencies and agreements between the SELPA and other public agencies shall be followed by each operating school district. Operating districts will participate, as necessary, in meetings with other public agencies established to coordinate and/or fund services for disabled students.

E. SELPA Director Responsibilities

1. Under the supervision of the Marin County Superintendent of Schools and the chairperson of the OSC the SELPA Director will be responsible for:
 - a. Providing regionalized services, which will include, if provided for in the regionalized services budget, a part time coordinator for due process and a part time program manager for nonpublic school placements and staff development.
 - b. Coordinating the administration and implementation of the Marin Special Education Local Plan.
 - c. Developing and providing forms, manuals and handbooks.
 - d. Establishing the OSC, ASC and SEAC meeting schedules

- e. Coordinating the development and implementation of SELPA program and student outcomes and the annual accountability procedure for every disability program and service offered within the SELPA.
 - f. Evaluating SELPA staff with input from the OSC Chairperson and the County Superintendent of Schools.
2. Prepare the regional special education plan and state, federal and local reports as required, with input from the SPECIAL EDUCATION ADVISORY COMMITTEE (SEAC) and school districts through the OPERATIONAL STEERING COMMITTEE (OSC), the ADVISORY STEERING COMMITTEE (ASC) and the BUSINESS ADVISORY COMMITTEE (BAC).
 3. Prepare and submit any and all state waiver requests that are needed to allow school districts to provide appropriate programs and services to disabled students residing within the SELPA.
 4. Coordinate services to disabled students with districts and other local public agencies through the development of procedural handbooks, negotiation of agreements, understandings, and ongoing dialogue.
 5. Develop and implement a plan for providing staff development opportunities to staff, parents, SEAC, and others.
 6. Collect, process and report program, personnel and fiscal data related to the state evaluation of special education as specified in accordance with State and Federal laws and regulations. Develop regionalized services budgets, and distribute regionalized services funds as approved by OSC.
 7. Maintain, and modify as necessary a Management Information System to be utilized by the school districts in the referral, assessment, program planning, placement and evaluation of special education students.
 8. Recommend to the OPERATIONAL STEERING COMMITTEE the number, type, location and operator of special education classes, programs and services based upon (1) services limits and proportions established by the state, and (2) numbers and residence of students with special education needs. Students residing in one district may be placed in an appropriate special day class located in another district in order to maintain services proportions and to assure equal access of all students to special education programs and services.
 9. Coordinate, document and report child find activities in public and private schools and public awareness activities for the Marin Special Education Local Plan Area as required by State and Federal laws and regulations.
 10. Maintain an inventory, complete required reports, receive funds and approve purchases for low incidence pupils utilizing the low incidence funds for equipment

and services based upon State Department of Education approved guidelines and local policies and procedures.

F. General Provisions

1. Each party agrees to indemnify and hold the other party harmless from all liability for damage, actual or alleged, to persons or property arising out of or resulting from negligent acts or commission of the indemnifying party.
2. Each participating agency shall establish and maintain public liability, property damage, Workman's Compensation and unemployment insurance adequate to protect the agency's operations.
3. Any deficit in financing as a result of a statewide deficit or a total SELPA deficit resulting from factors out of the control of the SELPA will be borne proportionately by all members of the Marin Special Education Local Plan Area as established by State laws and regulations and the Marin SELPA Fiscal Allocation Plan. (See Section 12-13 Appendix E AB 602 Fiscal Allocation Plan.)
4. The SELPA Director shall propose amendments to the Local Plan to bring it into compliance to the OSC if a portion or portions of this agreement are determined to be invalid due to:
 - a. Conflict with existing State or Federal laws or regulations, or
 - b. Conflict with changes in State or Federal laws or regulations, or
 - c. Invalidation by an administrative law judge or court of law.

The remaining portions shall remain in force.

G. Effective Date

This agreement shall become effective upon its approval and adoption by all district boards of trustees.

H. Amendments and Review

1. This agreement may be amended by the OSC on behalf of all districts in the SELPA. OSC may 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 service and budget plan process and upon subsequent approval of the State Board of Education. Nothing in this section shall modify the requirements of Education Code 56836 requiring an annual budget and service plan.
2. This agreement shall be reviewed by the OPERATIONAL STEERING COMMITTEE whenever new legislation, regulations, and/or guidelines, or major

changes in funding or services indicate the need for possible modification of the agreement.

I. Dispute Resolution Process

In the event of a disagreement among local education agencies, local education agencies and the Responsible Local Agency (RLA), local education agencies and/or the RLA and the SELPA regarding the distribution of funding, responsibility for service provision and any other governance activities specified in the Local Plan, it is the intent of the Operational Steering Committee (OSC) that issues be resolved at the lowest level possible. The OSC is the board of last resort. If any party involved in a disagreement is a voting member on OSC, the alternate for that area will replace the voting member during the OSC resolution of the dispute. This policy is intended to resolve disagreements within a period of 45 days, but is not intended to undermine local authority.

If a local education agency disagrees with a decision or practice of another agency or the SELPA, that local education agency has a responsibility to discuss and attempt resolution of the disagreement with the party, or parties, directly involved. The parties involved will present the issues to their respective superintendents, or designees, who will attempt to resolve the matter. Either party may request the assistance of the SELPA Administrator, or his/her designee, or the Chair of the OSC. If this process fails, the parties may pursue a hearing on the issues and resolution with the OSC.

If either party disagrees with the recommendation of the OSC, and the dispute relates to the distribution of funding, the responsibility for service provision or other governance activities specified within the Local Plan, the parties agree to submit the dispute to mediation. The parties will make a good faith effort to mutually agree to a mediator with expertise related to the dispute. If the parties cannot agree on a mediator, the parties will submit the dispute to mediation administered by the American Arbitration Association under its Commercial Mediation Rules.

Any dispute unresolved in mediation, arising from a dispute that relates to the distribution of funding, the responsibility for service provision or other governance activities specified within the Local Plan, shall be settled by arbitration administered by the American Arbitration Association in accordance with its Commercial Arbitration Rules, and judgment on the award rendered by the arbitrator may be entered in any court having jurisdiction thereof. If the parties agree, a mediator involved in the parties' mediation may be asked to serve as the arbitrator.

Each party shall bear its own costs and expenses and an equal share of the mediator's and/or arbitrator's and administrative fees of arbitration.

Marin Special Education Local Plan Area

DESCRIPTION OF
GOVERNANCE AND ADMINISTRATION
OF THE
MARIN SPECIAL EDUCATION LOCAL PLAN

A. Governance Structure

1. The Marin County Board of Education serves as the Responsible Local Agency (RLA) Board for the Marin SELPA. The RLA Board receives and distributes all special education funding; takes required funding for grants; adopts policies governing regionalized and County operated programs and services, and distributes funds to districts operating special education programs and services. District Boards adopt policies governing district operated programs and services and provide input and approval of regionalized policies in the SELPA Local Plan. The RLA and District Boards approve the Marin SELPA Local Plan. (See Section 12-13 Appendix A Agreement Regarding the Organization, Implementation, Administration and Operation of the Marin SELPA.).
2. The Operational Steering Committee (OSC) is composed of a superintendent/designee from each of six areas. Area Five, Novato, and Area Six, the County Office of Education, are permanent members. Annually, at a regularly scheduled meeting of district superintendents, the superintendents from Areas 1-4, as cited in Section 12-13 Appendix A, select a superintendent from within their Area to represent their Area at OSC meetings. Each area will also select an alternate superintendent(s) to represent the area as a substitute for the appointed superintendent. The OSC sets policies and directions for the SELPA, participates with the county superintendent in the hiring, supervision and evaluation of the SELPA Director, approves SELPA financial actions and advises the RLA Board through the SELPA Director who serves as the liaison, (See Section 12-13 Appendix A Agreement Regarding the Organization, Implementation, Administration and Operation of the Marin SELPA.).
3. The Advisory Steering Committee (ASC) is composed of the superintendent or his/her special education designee from each school district. ASC is responsible for: reviewing and recommending to OSC: any needed modification of the Agreement regarding the Organization, Implementation, Administration and Operation of the Marin Special Education Local Plan Area,; programmatic decisions and decisions regarding the operation of special education; policies procedures and financial actions. (See Section 12-13 Appendix A Agreement Regarding the Organization, Implementation, Administration and Operation of the Marin SELPA.).
4. The Business Advisory Committee (BAC) is made up of the chief business officers from each area serving on OSC and any other chief business officer who wishes to participate. The BAC makes recommendations to the SELPA Director ASC and OSC regarding fiscal issues related to special education funding, facilities and the development and review of the fiscal allocation of special education funds. (See Section 12-13 Appendix A Agreement Regarding the Organization, Implementation, Administration and Operation of the Marin SELPA.).
5. The Special Education Advisory Committee (SEAC) is the Community Advisory Committee (CAC) for the SELPA. SEAC is composed of regular and special education parents, agency representatives, general and special education teachers, persons with disabilities, support staff, and administrators. SEAC is an advisory committee to ASC

- and through that body the OSC and RLA Board on the planning and operation of special education. SEAC is also responsible for reviewing the Local Plan, including annual service and budget plans and providing ongoing input on special education services, accountability and outcomes and fiscal allocation of resources in accordance with State and Federal education code and regulations. (See Section 12-13 Appendix C Special Education Advisory Committee (SEAC) Membership, Organization and Operation.)
6. Each LEA superintendent is responsible for providing input and/or recommendations to and from his/her Board regarding policies, procedures and operation of the special education programs through his/her representative on OSC.
 7. Under the supervision of the Marin County Superintendent of Schools and the chairperson of the OSC, the SELPA Director is responsible for providing regionalized services and coordinating the administration and implementation of the Marin SELPA Local Plan. (See Section 12-13 Appendix A Agreement Regarding the Organization, Implementation, Administration and Operation of the Marin SELPA.)
 8. Each participating agency may choose to operate or not operate special education programs. If a district chooses to operate a program(s) it previously did not operate, it must notify the RLA and the State Department of Education by March 15 of the prior school year in accordance with state transfer procedures. If a district plans to discontinue operation of a program(s) for the following year, it must notify the State Department of Education and the RLA by January 1 of the prior school year in accordance with state transfer procedures.
 9. Each year prior to June 1st, the SELPA Director will recommend a proposed distribution of special education funds to the Business Advisory Committee (BAC) and the Advisory Steering Committee (ASC) for the following year. The ASC will recommend an annual fiscal allocation plan for the distribution of special education funds, to the OSC, after carefully reviewing each district of services outcome measures for each program it operates. Upon approval by the OSC, the SELPA Director will direct the county business office to distribute special education funds for the following year to each district of service, based upon the fiscal allocation plan approved by the OSC. Each superintendent will plan for budgeting and staffing based on the proposed distribution of special education funds.
 10. The SELPA Director will utilize pupil count information, input from the Advisory Steering Committee, OSC approved evaluation and outcome measures for each type of program or service operated within the SELPA, and other sources of information and data collected to formulate a yearly recommendation for the distribution of special education funds.
 11. The SELPA Director will assure access to special education services for all individuals with disabilities residing within the SELPA. Every eligible student with disabilities is entitled to receive special education services deemed appropriate to meet their special education needs by an IEP team, regardless of where they live, or

where the services are available within the SELPA.

12. The SELPA Director will address questions or concerns by which members of the public, including parents or guardians of individuals with exceptional needs who are receiving services under this plan. The SELPA Director will present the questions or concerns to the district, SEAC, BAC, ASC and/or OSC as appropriate.
13. Marin County is experiencing only a slight increase in the general education population, and the number of Licensed Children's Institutions and Foster Family Homes in operation in the county has been fairly stable, but there has been an increase in the number of students with more severe disabilities. These are some of the factors that need to be taken into consideration when formulating the distribution of special education funds.
14. Any conflict involving any governance or administration issues of the Local Plan will be resolved under the dispute resolution procedures of the Agreement Regarding the Organization, Implementation, Administration and Operation of the Marin SELPA. (See Section 12-13 Appendix A Agreement Regarding the Organization, Implementation, Administration and Operation of the Marin SELPA.)
15. The OSC will make recommendations to the RLA Board if such conflict resolution requires change in policy or procedures in the Local Plan. The Operational Steering Committee is responsible for reviewing and recommending any needed modification of the Local Plan regarding the Organization, Implementation, Administration and Operation of the Local Plan. Any superintendent, on behalf of his/her district, may request that the OSC consider a change in the governance structure of the Marin SELPA local plan, provided the requested change is in compliance with state laws and regulations regarding the governance, organization, function and size and scope of a SELPA. (See Section 12-13 Appendix A Agreement Regarding the Organization, Implementation, Administration and Operation of the Marin SELPA.).

B. Administrative Functions

1. The Marin County Office of Education (MCOE) was selected as the RLA as part of the development and adoption of the Agreement Regarding the Organization, Implementation, Administration and Operation of the Marin Special Education Local Plan Area.(SELPA). (See Section 12-13 Appendix A Agreement Regarding the Organization, Implementation, Administration and Operation of the Marin SELPA.).
 - a. The Operational Steering Committee will participate in the selection supervision and evaluation of the SELPA Director, who will be an employee of the RLA.
 - b. The SELPA Director will supervise all Regionalized Services staff, who will be employees of the RLA. The SELPA Director provides assistance and serves as a special education administrative resource to all the participating agencies.

2. Each participating district is responsible for:
 - a. Meeting the legal requirements for procedural safeguards.
 - b. Assuring equal access to all programs and services operated by the district for all eligible special education students residing anywhere within the SELPA.
 - c. Monitoring the appropriate use of federal, state and local funds allocated for special education programs.
 - d. Utilizing the same Management Information Forms, procedures and guidelines for determining eligibility.
 - e. Placing a student in a comparable special education program when an identified special education student moves into the Marin SELPA. An IEP review will be held within 30 days of an interim placement.
 - f. Providing parents with a copy of the Marin SELPA Parent Handbook, upon referral of each child to special education.
 - g. Providing parents with an up-to-date copy of their rights, in their primary language or mode of communication, and a list of free or low cost legal services when requested.
 - h. Providing parents with information on local alternatives to due process including informal SELPA Review or Alternative Dispute Resolution.
 - i. Implementing the decision of a complaint investigation or due process hearing officer.
 - j. Paying any attorney(s) fees required as a result of mediation or an administrative or court procedure.
 - k. Providing and coordinating transportation for special education students residing in the district as recommended in the IEP.
 - l. Assuring full education opportunity to all students residing in the district.

3. The RLA and the SELPA Director as its designee, is responsible for:
 - a. Developing and providing forms and manuals that will assist the districts in complying with procedural safeguards.
 - b. Coordinating services to disabled students with districts and other local public agencies through negotiation of agreements, understandings and ongoing dialogue to assure that all students with exceptional needs have equal access to all programs and services in the Marin SELPA.
 - c. Providing, as a Regionalized Service assistance, upon request, in due process proceedings. The Due Process assistance may include: reviewing with parents/guardians local alternatives to Due Process, such as informal SELPA Review with the SELPA Director or his/her designee, or Alternative Dispute Resolution; coordinating requests for Alternative Dispute Resolution as the result of a parent or district request for ADR; advising the district on the results and required corrections of any due process proceedings. If the assistance involves serving as the district's representative in due process proceedings, the SELPA is not a respondent or responsible party. The SELPA assistance is not intended to take the place of legal representation, which will

- be an option of the district of residence.
 - d. The RLA will only be responsible for implementing any corrections or results of a mediation or due process proceeding when the RLA was the respondent or responsible party. The district(s) are responsible for implementing any corrections or results of a mediation or due process proceeding when the district(s) is the respondent or responsible party.
 - e. The RLA will be responsible for paying attorney fees only when the RLA was the respondent or responsible party. The district(s) are responsible for attorney fees when the district(s) is the respondent or responsible party.
- 4. Program Specialists are not employed in the Marin SELPA. Regionalized services of EC Section 56780 are delivered and coordinated by the SELPA Director/designee as follows:
 - a. provides the Coordination of the SELPA.
 - b. develops operations manual, handbooks and forms to be utilized in the Marin SELPA. These operations manuals, handbooks and forms are developed with input from the Advisory Steering Committee and the Special Education Advisory Committee. The operations manual and handbooks are approved by the Operational Steering Committee.
 - c. is responsible for assuring coordination of special education programs and services.
 - d. is responsible for supervising SELPA staff and, together, coordinating a system of procedural safeguards.
 - e. is responsible for preparing the personnel development plan and budget with input of the Advisory Steering Committee and approval by the Operational Steering Committee.
 - f. coordinates and works through the Marin County Curriculum and Instruction Connection (CIC) and other community agencies to survey parent and staff needs, coordinate curriculum and provide staff development opportunities. (See Section 14-15).
 - g. is responsible for coordinating internal program reviews and for evaluating the effectiveness of the Local Plan by:
 - (1) assisting in the preparation, implementation and follow-up of state reviews including those that are part of the State's Quality Assurance Program (QUAP)
 - (2) Assisting in preparation implementation, technical assistance and follow-up to state or special reviews.
 - (3) Conducting audits or reviews for district programs as requested.
 - h. is responsible for supervision and for maintenance of the coordinated MIS system.
 - i. is responsible for developing all interagency agreements with input from ASC and approval by OSC.
 - j. is responsible for coordinating the identification, assessment and IEP process for LCI or foster family home special education students who require non-public school services. Special Education students residing in LCI or foster family homes who do not require nonpublic school services are the responsibility of the district in which the LCI or foster family home is located, and will be referred,

identified, assessed, and placed in special education programs utilizing the processes developed by the SELPA.

is responsible for the preparation of SELPA reports

- k. is responsible for developing, submitting and supervising regionalized grants. The RLA Board will approve all grant applications, if applicable, and budgets.

- 5. The SELPA Director, with input and assistance from the Advisory Steering Committee, will have overall responsibility for assisting districts within the SELPA to implement annual program evaluation activities. The SELPA Director will utilize the following procedures to assist districts in collecting data and reporting the information to the State Department of Education:

- a. Provide notification to the districts of required evaluation data, procedures, timelines.
- b. Suggest data sources and procedures.
- c. Develop agreed upon evaluation and outcome measures for each special education program or service available within the SELPA with yearly input from ASC, SEAC and other agencies.
- d. Provide any data already collected on the MIS to districts for inclusion in their reports or directly to SDE or the Federal Government, as appropriate.

- 6. The following are the local interagency agreements and their effective dates:

<u>Agency</u>	<u>Date of Agreement</u>
Marin Community Mental Health	2/8/00
California Children's Services	3/1/00
Golden Gate Regional Center	5/20/98
Marin Head Start	12/15/98, 3/1/00

C. Community Advisory Committee

- 1. The Community Advisory Committee in Marin will be referred to as the Marin Special Education Advisory Committee (SEAC). (See Section 12-13 Appendix C SEAC Membership, Organization and Operation.)
- 2. The SEAC elects one of its members, preferably a parent, to serve as a non-voting liaison to the Advisory Steering Committee.
 - a. SEAC will review and provide input into the development of the Local Plan and annual service and budget plans. The SELPA Director/designee will present SEAC's input to the Advisory Steering Committee for consideration.
 - b. SEAC members will advocate, support and assist in parent education and the recruitment of parents and other volunteers by participating in activities such as, but not limited to:
 - (1) Special Education task forces
 - (2) Matrix or other community agency workshops and newsletters
 - (3) Special Education Parent Groups
 - (4) Organizations such as local PTAs, MARC, Easter Seals, Special Olympics
 - c. SEAC will encourage community involvement in the development and review of

the local plan and annual service and budget plans by encouraging members of the community to attend SEAC meetings.

- d. SEAC will support activities on behalf of individuals with exceptional needs by activities such as:

- (1) Distribution of flyers or information;
- (2) Developing and sponsoring special projects.

- e. SEAC will assist in public awareness activities including the importance of regular school attendance by such activities as:

- (1) Distribution of flyers and information;
- (2) Development of the Parent Handbook; and
- (3) Development of handbooks and compilation of information/materials in areas of interest to parents.

D. Development of the Local Plan

- 1. The Marin SELPA Local Plan will be developed with input from the following groups:

- 3. Special education teachers will be selected to serve on SEAC by their bargaining unit (See Section 12-13 Appendix C SEAC Membership, Organization and Operation.)

- a. . In addition OSC members will be asked to consult with their bargaining units to select additional special education teachers who may want to serve on a subcommittee for the purpose of providing input to the development of the Local Plan.

- b. General education teacher will be selected to serve on SEAC by their bargaining unit (See Section 12-13 Appendix C SEAC Membership, Organization and Operation.). In addition OSC members will be asked to consult with their bargaining units to select additional general education teachers who may want to serve on a subcommittee for the purpose of providing input to the development of the Local Plan.

- c. Administrators will be selected to serve on ASC by their superintendents (See Section 12-13 Appendix C SEAC Membership, Organization and Operation.). The Advisory Steering Committee is composed of the superintendent/special education administrator of each district (See Section 12-13 Appendix A Agreement Regarding the Organization, Implementation, Administration and Operation of the Marin Special Education Local Plan Area.).

- d. The SELPA Director/designee will contact each charter school in the Marin SELPA and request a representative to serve on a subcommittee for the purpose of providing input to the development of the Local Plan.

- e. The SELPA Director/designee will contact preschools in the Marin SELPA and request representatives to serve on a subcommittee for the purpose of providing

input to the development of the Local Plan.

2. Roles in the Development of the Local Plan

- a. The SELPA Director/designee shall be responsible for the coordination of the development of the Local Plan. The SELPA Director/designee shall form a subcommittee that includes representatives of charter schools, preschools, general education and regular education teachers selected by the groups they represent. The role of the subcommittee in the development of the Local Plan is to:
 - provide input
 - review drafts,
 - make recommendations to the Advisory Steering Committee,
- b. The Special Education Advisory Committee (SEAC) membership includes: special education parents, regular education parents, persons with a disability, special education teachers, regular education teachers, representatives from community agencies, support staff and administrators (See Section 12-13 Appendix C SEAC Membership, Organization and Operation.). The role of SEAC in the development of the Local Plan is to:
 - provide input
 - provide a forum for members of the public, including parents or guardians of individuals with exceptional needs who are receiving services under the plan to address questions or concerns,
 - review drafts,
 - make recommendations to the Advisory Steering Committee,
 - review the final plan before submission.
- c. The Advisory Steering Committee (ASC) membership includes the superintendent or special education administrator/designee of each district in the Marin SELPA (See Section 12-13 Appendix A Agreement Regarding the Organization, Implementation, Administration and Operation of the Marin SELPA.). The role of ASC in the development of the Local Plan is to:
 - review the input of SEAC
 - review drafts,
 - provide input
 - make recommendations to the Operational Steering Committee,
 - review the final plan before submission.
- d. The Operational Steering Committee (OSC) membership includes a superintendent representative from each of 6 areas of the Marin SELPA (See Appendix A). The role of OSC in the development of the Local Plan is to:
 - review the recommendation of ASC and SEAC
 - review drafts,
 - provide input
 - seek input from the superintendents of the districts in the area they represent and

- through those superintendents their respective governing boards
- review and approve the final plan for submission to local governing boards for approval

3. Evidence of Participation in the Development of the Local Plan

- a. The membership of each of the groups involved in the development of the Local Plan follows:
- b. The dates of meetings to review and provide input to the development of the Local Plan follows:

SEAC MEMBERSHIP 1998-1999

Julie Costello	Teacher Regular Education
Nancy Dagenhart	Parent Special Education
Kevin Fickenscher	Student with a disability
Candy Gratto	Parent Special Education
Deidre Hayden	Agency Representative
Belinda Hayes	SELPA Administrator
Cameran Kline	Support Staff
Christine Lindner	Parent Special Education
Catherine McQuilkin	Parent Special Education
Anthony Mei	Parent Special Education
Brigid Richards	Parent Regular Education
Michael Selinsky	Teacher Special Education
Claudia Wilson	Parent Regular Education

SEAC MEMBERSHIP 1999-2000

Susan Aronovsky	Parent Special Education
Mary Batchelder	Administrator MCOE
Joscelyn Boudreau	Support Staff
Julie Costello	Teacher Regular Education
Nancy Dagenhart	Parent Special Education
Krista Deer	Support Staff
Susanne DeFino	Support Staff
Samuel Doctors	Parent Special Education
Sarah Everett	Agency Representative
Jennifer Fearon	Parent Regular Education
Kevin Fickenschier	Student with a disability
Lynn Geraghty	Parent Regular Education
Joy Glenwright	Parent Regular Education
Candy Gratto	Parent Special Education
Nola Hague	Parent Special Education
Deidre Hayden	Agency Representative
Belinda Hayes	SELPA Administrator
Sara Iqbal	Parent Special Education
Cameran Kline	Support Staff
Christine Lindner	Parent Special Education
Christine Margetic	Parent Special Education
Catherine McQuilkin	Parent Special Education
Anthony Mei	Parent Special Education
Nina Nyman	Parent Special Education
Bill Perman	Parent Special Education
Susan Peters	Agency Representative
Brigid Richards	Parent Regular Education
Michael Selinsky	Teacher Special Education
Stephanie Stein	Parent Special Education
Liz Thom	Teacher Special Education
Mimi Wagoner-Reddick	Teacher Regular Education
Claudia Wilson	Parent Regular Education

SEAC MEETING DATES
FOR REVIEW and INPUT TO
DEVELOPMENT of the LOCAL PLAN

1998-1999

November 18, 1998
February 23, 1999 (subcommittee meeting)
February 24, 1999
March 24, 1999
May 3, 1999 (subcommittee meeting)
May 6, 1999
May 27, 1999

1999-2000

September 22, 1999
October 27, 1999
November 17, 1999
December 15, 1999
January 26, 2000
February 23, 2000
March 22, 2000
April 26, 2000
May 24, 2000
June 28, 2000

ASC MEMBERSHIP 1998-1999

NAME	POSITION	DISTRICT
Robert Balzan	Superintendent	Bolinas-Stinson
Mary Batchelder	Director	MCOE
Elaine Doss	Regular Education Teacher	Nicasio
Larry Enos	Superintendent	Lagunitas
Lorelei Evans	Coordinator	Larkspur
Judy Featherstone	Program Manager	Dixie
Karen Kubitschek	Psychologist	Sausalito
AnnEtta Link	Executive Director	San Rafael
		Elementary & High
Pat Lynch	Coordinator	Tamalpais
Nancy McCabe	Coordinator	Reed
Catherine McQuilkin	Parent	SEAC Liaison
April Port	Coordinator	Novato
Gene Rich	Program Manager	Mill Valley
Dennis Riley	Program Manager	Ross Valley
Stephen Rosenthal	Superintendent	Shoreline
Catherine Townsley	Superintendent	Ross
Thom Wozniak	Resource Specialist	Kentfield
SELPA Staff		
Howard Greishaber	SELPA Director	SELPA
Ken Kammuller	Program Manager	SELPA

ASC MEMBERSHIP 1999-2000

NAME	POSITION	DISTRICT
Robert Balzan	Superintendent	Bolinas-Stinson
Mary Batchelder	Director	MCOE
Dorcas Bertrand	Resource Specialist	Reed
Elaine Doss	Regular Education Teacher	Nicasio
Lorelei Evans	Coordinator	Larkspur
Judy Featherstone	Program Manager	Dixie
Belinda Hayes	Coordinator	MCOE
Deborah Hemphill	Program Manager	Tamalpais
Ken Kammuller	Program Manager	SELPA
Karen Kubitschek	Psychologist	Lagunitas
AnnEtta Link	Executive Director	San Rafael
Catherine McQuilkin	Parent	Elementary & High
Kerry Mills	Director	SEAC Liaison
April Port	Program Manager	Mill Valley
Dennis Riley	Program Manager	SELPA
Rose Marie Roberson	Program Manager	Ross Valley
Stephen Rosenthal	Superintendent	Sausalito
Ted Sneed	Superintendent	Shoreline
Catherine Townsley	Director	Novato
Thom Wozniak	Superintendent	Ross
	Resource Specialist	Kentfield

ASC MEETING DATES
FOR REVIEW and INPUT TO
DEVELOPMENT of the LOCAL PLAN

1998-99

February 23, 1999	(subcommittee meeting)
May 3, 1999	(subcommittee meeting)
April 14, 1999	
May 12, 1999	
June 12, 1999	

1999-2000

September 9, 1999
October 13, 1999
November 10, 1999
December 8, 1999
January 12, 2000
February 9, 2000
March 8, 2000
April 12, 2000
May 10, 2000
June 14, 2000

OSC MEMBERSHIP 1998-1999

MEMBER	AREA	DISTRICT REPRESENTATION	DISTRICT
Bill Levinson	1.	Tamalpais Larkspur Ross	Tamalpais
Larry Enos	2.	Ross Valley Nicasio Lagunitas Shoreline	Lagunitas
John Harter	3.	Bolinas-Stinson Sausalito Mill Valley Kentfield Reed	Mill Valley
Barbara Smith	4.	Dixie San Rafael Elementary San Rafael High	San Rafael Elementary and High
John Bernard	5.	Novato	Novato
Mary Jane Burke	6.	Marin County Superintendent of Schools Lincoln Laguna Union	Marin County Superintendent of Schools
Chair: Frank Elliott			Ross Valley

OSC MEMBERSHIP 1999-2000

MEMBER	AREA	DISTRICT REPRESENTATION	DISTRICT
Barbara Wilson Alternate: Bill Levinson, Tamalpais	1.	Tamalpais Larkspur Ross	Tamalpais
Larry Enos Alternate: Stephen Rosenthal, Shoreline	2.	Ross Valley Nicasio Lagunitas Shoreline	Lagunitas
John Harter Alternate: Chris Carter, Reed	3.	Bolinas-Stinson Sausalito Mill Valley Kentfield Reed	Mill Valley
Tom Lohwasser Alternate: Barbara Smith, San Rafael	4.	Dixie San Rafael Elementary San Rafael High	Dixie
John Bernard	5.	Novato	Novato
Mary Jane Burke	6.	Marin County Superintendent of Schools Lincoln Laguna Union	Marin County Superintendent of Schools
Chair: Bill Levinson			Tamalpais

OSC MEETING DATES
FOR REVIEW and INPUT TO
DEVELOPMENT of the LOCAL PLAN

1998-1999

August 7, 1998
March 26, 1999
April 23, 1999

1999-2000

August 20, 1999
September 17, 1999
October 22, 1999
November 19, 1999
December 17, 1999
January 21, 2000
February 18, 2000
March 24, 2000
April 28, 2000
May 26, 2000
June 23, 2000

LOCAL PLAN SUBCOMMITTEE MEMBERSHIP
1999-2000

NAME	POSITION	DISTRICT
Linda O'Neil	RSP	Bolinas-Stinson
Lorelei Evans	Coordinator	Larkspur
Kay Wernert	Director	Marin Headstart
Mike Herrera	Charter School Teacher	MCOE/Sobriety High
Karen Searles	RSP	Mill Valley Middle School
Rachael Bishop	Principal	Novato Charter School
Pam Gunn	Program Specialist	Novato Unified
Carrie Hamilton	Regular Education Teacher	Novato Unified
Pamela McClure	Director	Novato/Miss Sandies
Susannah Hall	RSP	Redwood High
Dorcas Bertrand	RSP	Reed School
Kathy Frank	Regular Education Teacher	Ross School
Joan Troppmann	RSP	Ross School
Helen Hart	RSP	Ross Valley/Manor
Heidi Engle	RSP	Ross Valley/Manor
Dan McLaughlin	RSP	Ross Valley/White Hill
Regina Hartley	DIS Speech	San Rafael/Davidson Middle
Stephanie Samuels	Director	San Rafael/Ice Cream & Shoe
Michelle Marotto	RSP	San RafaelElem/Sun Valley
Scott Thompson	Regular Education Teacher	San Rafael
Elizabeth McGrady	Executive Director	San Anselmo Preschool
Mechelle Cattell	RSP	Sausalito/Bayside MLK
Carin Husanini	Regular Education Teacher	Sausalito
Stephen Rosenthal	Superintendent	Shoreline
Cory DeMars	Counselor	Tamalpais High
Mike Selinsky	RSP	Terra Linda High

LOCAL PLAN SUBCOMMITTEE MEETING DATES
FOR REVIEW and INPUT TO
DEVELOPMENT of the LOCAL PLAN
1999-2000

1998-1999

October 27, 1999
November 3, 1999
November 10, 1999
November 17, 1999

SECTION 12-13
APPENDIX C

Marin Special Education Local Plan Area
Special Education Advisory Committee (SEAC)
Membership, Organization and Operation

Marin Special Education Local Plan Area
SPECIAL EDUCATION ADVISORY COMMITTEE (SEAC)
 Membership, Organization and Operation

A. Purpose

The Special Education Advisory Committee (SEAC) is formed to advise school districts and County Office of Education on matters pertaining to the planning and implementation of special education programs and services throughout the Marin County Special Education Local Plan Area as authorized and described in Education Code Sections 56190 et seq and in the Marin SELPA Plan for Special Education.

B. Membership

The RLA Board (Marin County Board of Education) shall appoint the members of the Special Education Advisory Committee

1. Representation

A majority of the Special Education Advisory Committee shall be composed of parents of students enrolled in schools which are participants in the Marin County Special Education Local Plan, and a majority of those parents shall be parents of students enrolled in special education.

The Special Education Advisory Committee shall consist of the following representatives:

Represents	Number
Parents; Special Education →	16* *At least 51% must be parents of special education students currently being served by public school districts.
Parents; Regular Education ↙	
Adult with a Disability	1
Student with a Disability	1
Teacher; Special Education	2
Teacher; Regular Education	2
Community Agency	2
Support Staff	2
Administrators	2
Total	28

2. Nomination of Candidates

- a. Nominations shall be made annually by mid-October.
- b. Each school district in the county and the Marin County Office of Education will submit nominees. Candidates should represent the geographic diversity within the SELPA.
- c. Current SEAC members, and community public and private agencies may submit nominees. Teachers, other school personnel, students and adults with disabilities, and community members who wish to serve on SEAC shall apply for membership in the appropriate school district or County Office of Education.

3. Selection of Candidates

- a. A subcommittee of the Advisory Steering Committee and SEAC shall submit, from the list of nominated candidates, a slate of candidates for approval to the Operational Steering Committee.
- b. The ASC and SEAC subcommittee shall be composed of: two district representatives selected by ASC; one non-voting SELPA staff member; and two special education representatives selected by SEAC.
- c. The ASC and SEAC subcommittee shall consider but are not limited to the following criteria when selecting the final slate of nominees:
 - 1) Representation from each district ensuring geographic diversity.
 - 2) Business, community and/or education related involvement.
 - 3) Areas of interest and expertise.
 - 4) Representation of general and special education children of various ages, disabilities and programs.
- d. The SELPA Director will present the OSC approved final slate of nominees to the RLA Board (Marin County Board of Education) for approval.
- e. Once elected, SEAC representatives will be given information, which may include but is not limited to:
 - 1) A copy of SEAC by-laws;
 - 2) A description of what the SELPA is and does;
 - 3) An opportunity to meet with the SELPA Director and/or the SEAC Chairperson to discuss membership expectations that will include regular attendance and the review of information i.e., minutes and proposed policies and procedures, prior to SEAC meetings.

4. Terms of Appointment

- a. Members of the Special Education Advisory Committee shall be appointed by the RLA Board to serve for two years. Terms of office will be staggered annually to ensure that no more than one half of the membership serves the first year of the term in any one-year. Terms of office shall begin on January 1 and end on December 31st.
- b. Members may be appointed for a succeeding term by applying through their organization or appropriate school district or County Office of Education for re-appointment.
- c. If a member misses three (3) consecutive meetings without a valid excuse as determined by the chairperson, these absences will be considered a resignation.

5. Quorum

- a. 51% of the filled SEAC positions (with 51% of the attending members being parents) shall constitute a quorum.
- b. Action may be taken by approval of a simple majority vote of the SEAC members present.
- c. Organization
 - 1. The Special Education Advisory Committee shall elect officers from among its membership to serve one-year terms. The officers will constitute the Executive Committee of SEAC.
 - a. Officers
 - (1) Chairperson—Assists the SELPA Director/designee in developing the monthly SEAC Agenda and chairs the SEAC meetings.
 - (2) Vice-Chairperson—Assists the Chairperson and SELPA Director/designee in setting the monthly agenda, and chairs the SEAC meeting in the absence of the chairperson.
 - b. Officers shall serve no more than four consecutive years.
 - c. Liaison to Advisory Steering Committee

A non-voting liaison to the Advisory Steering Committee will be elected. This liaison may hold another office and preferably will be a parent. The liaison shall serve no more than four consecutive years.

2. The SELPA Director/designee shall serve as Executive Secretary to the Special Education Advisory Committee.
 - a. The Executive Secretary will provide staff assistance to the Committee to facilitate required committee activities;
 - b. The Executive Secretary will serve as liaison between the Special Education Advisory Committee, the Advisory Steering Committee, the Operational Steering Committee and the County Superintendent of Schools/Board of Education.
 - c. The SELPA Director/designee shall provide monthly reports to SEAC regarding ASC and OSC actions, particularly as they relate to SEAC recommendations. These monthly reports may also include current trends within the SELPA, state and nation related to special education and the effect of those trends on special education programs and services within the SELPA.
3. Standing Committees and sub-committees may include participants other than SEAC members. Such committees may be established as deemed appropriate and necessary.
4. SEAC shall recommend an annual budget line item in the Regionalized Services Budget for specific activities to be approved by ASC and OSC. Unexpended funds will return to the SELPA's Regionalized Services Budget.

D. Responsibilities

The Special Education Advisory Committee shall advise the Advisory Steering Committee, and through that body, the OSC, on the planning and operation of special education. Such responsibilities shall include all of those defined in the Marin County Special Education Plan, including, but not limited to, the following:

1. Reviewing the Special Education Local Plan; and providing ongoing input on special education services, accountability and outcomes.
2. Recommending annual priorities to be addressed by the Plan;
3. Advocating, supporting and assisting in parent education;
4. Assisting in recruiting parents and other volunteers who may contribute to the implementation of the plan;
5. Encouraging community involvement in the development and review of the Local Plan;

6. Providing active support of students with disabilities.
7. Providing reviews and input in the development of SELPA policies, procedures handbooks and forms.

SECTION 12-13
APPENDIX D

Marin Special Education Local Plan Area

CHARTER SCHOOL POLICY

Provision of Special Education Services
To Students Voluntarily Enrolled In
Charter Schools In the Marin SELPA

A. Rationale

This policy applies to all Charter Schools that are chartered by educational entities located within the geographic boundaries of the member districts (including the Marin County Office of Education) of the Marin SELPA. This policy also applies to any charter school petition granted by the State Board of Education (SBE) in which oversight responsibilities have been assigned to a district within the Marin SELPA (EC47605.5 (k)(1)). As students enrolled in charter schools are entitled to special education services as required by State and Federal law, the charter schools are required to comply with all requirements of state and federal law and SELPA regulations and policies regarding provision of special education services EC 56000 et seq., Individuals with Disabilities Education Act (20 U.S.C. Chapter 33). Children with disabilities and their parents shall retain all rights under the IDEA.

B. Policy Statement

Special education and related services shall be provided to all eligible individuals within the jurisdiction of the Marin SELPA in accordance with the Marin SELPA Local Plan. Students enrolled in charter schools chartered within Marin County shall receive services in a manner similar to students enrolled in member districts with the Marin SELPA. Funding for special education services, participation in the governance structure and responsibility for provision of services shall be based on the status of the individual charter school, the charter provisions and agreements between the charter school and the sponsoring agency.

As legally provided, for the provision of special education services, charter schools may be categorized as either a separate LEA or as a public school within a district. All approved charter schools will be deemed public schools within a district unless the charter school has applied for and has been deemed an LEA by the Operational Steering Committee of the Marin SELPA and approved by the County Superintendent of Schools.

1. Marin SELPA Involvement with Approval and Renewal of Charter Schools

Prior to a district's or county office's approval of a new charter, or renewal of an existing charter, the superintendent or designee of the chartering entity shall consult with the Marin SELPA Director regarding the special education responsibilities of the charter school and application of Marin SELPA policies.

The chartering entity will take appropriate action and work with the charter school representatives to provide assurances that all eligible students, including those students enrolled in the charter school, will receive appropriate special education

services. Prior to approval of a petition for a charter school, the charter school must explain in writing, within the legal requirements of Education Code Section 47605(5)(A), their description of how special education services will be provided consistent with the Marin SELPA Local Plan and/or policies and procedures, including the Fiscal Allocation Plan.

2. Status of Charter Schools for Special Education

For the sole purpose of the provision of special education services and responsibilities, charter schools may be deemed either a separate LEA or a public school within the chartering district. All approved charter schools will be deemed public schools within a district unless the charter school has been deemed an LEA by the Operational Steering Committee of the Marin SELPA and approved by the County Superintendent of Schools. It is understood that this status is separate and distinct from the actual legal status of the charter school as provided in Education Code Section 47604.

a. Public School Within a School District

Charter schools that are deemed to be public schools within a district will participate in state and federal funding in the same manner as other schools within the chartering district. The chartering district will be responsible for ensuring that all children with disabilities enrolled in the charter school receive special education and designated instructional services in a manner that is consistent with all applicable provisions of state and federal law. To that end, the chartering entity and the charter school must clarify by way of the charter or a separate memorandum of understanding the responsibilities of each party for the actual delivery of services including referral, assessment, instruction and due process. Such written agreement or charter shall also specify the funding relationships between the parties.

The chartering district will receive all applicable special education funds. Allocation of funds shall depend on an agreement between the charter school and the chartering district. The chartering district will represent the needs of charter schools, like other schools within the district, in the SELPA governance structure. The chartering district will be responsible for ensuring that all eligible students are appropriately served as provided in the charter and/or the memorandum of understanding. The district will be responsible for procuring and funding appropriate special education services, even though the student may reside anywhere in the State of California, unless otherwise provided by the charter and/or a memorandum of understanding.

The district and the charter school are encouraged to enter into agreements whereby actual and excess costs are allocated between the parties specifically any excess costs associated with providing special education services to identified students, including the administration of special education

programs. The charter school should also be held fiscally responsible for a fair share of any encroachment on district general funds that is created by the provision of special education services throughout the district.

b. Charter School as an LEA Within the SELPA

A charter school may apply to become an LEA for the provision of special education services. Consistent with notification requirements by districts of their intent to operate programs, application must be made to the Marin SELPA Director by February 1 of the school year preceding the school year in which the charter school anticipates operating as an LEA within the Marin SELPA. The Operational Steering Committee will make the final determination whether the charter school has met all requirements of an LEA. These requirements include:

- Be located within the geographical boundaries of the Marin Special Education Local Plan Area.
- Provide a current operating budget in order to assure fiscal responsibility in accordance with Education Code 42130 and 42131.
- Provide assurances that students and staff will be instructed in a safe environment.
- Provide a copy of the original charter petition and any amendments.
- Be responsible for any legal fees as it relates to the application and assurances process in becoming an LEA.
- Meet the terms of the Agreement Regarding the Organization, Implementation, Administration and Operation of the Marin Special Education Local Plan Area (Section 12-13, Appendix A).
- Meet the terms of all policies and procedures included in the Marin SELPA Local Plan.

Once deemed an LEA, the charter school will be responsible for and entitled to the following:

- a. Participate in governance of the Marin SELPA in the same manner as other districts within the Marin SELPA.
- b. Receive state and federal funding for special education in the same manner as other districts within the Marin SELPA.

- c. Be responsible for all costs and liabilities incurred in the provision of special education services for students enrolled in the charter school. These costs may include, but are not limited to, instruction, transportation, nonpublic school/agency placements, inter/intra SELPA placements, due process proceedings, complaints and attorney fees.

C. Administrative Guidelines

1. The governing board of each school district shall not approve a petition for creation of a charter school unless the petition contains adequate assurances that the proposed school will comply with all provisions of federal law and implementing regulations related to the rights of disabled students and their parents (20 U.S.C. Chapter 33, the Individuals with Disabilities Education Act).
2. The chartering entity shall require that a charter petition include the means by which the charter school intends to serve students with disabilities. This will include a specific reference as to whether the charter school intends to be deemed an LEA or a public school for the provision of special education services. Specific detail about procedures and delivery systems shall be set forth in writing between the charter school and the chartering entity.
3. The chartering entity shall require that a charter petition contain assurances that no student will be denied admission to the charter school based on disability or concern about the lack of available services.
4. Prior to approving a charter school petition, the superintendent or designee of the chartering entity shall consult with the Marin SELPA Director regarding the provision of special education services to students enrolled in the prospective charter school.
5. The charter petition, or an accompanying Memorandum of Understanding, or Business Services Agreement, will describe the charter schools participation in the allocation of excess costs and/or the charter school's fair share of special education encroachment on the district general fund.
6. Any special education services required by students enrolled in the charter school will be provided in accordance with the agreement between the charter school and the chartering entity.
7. Consistent with district placement requirements, a charter school IEP team may place a student in a special education program provided by another educational entity, i.e., a county office or another district, only with agreement between responsible educational entities and parental consent. If a charter school IEP team places a student in a special education program provided by another educational entity, i.e., a county office or another district, the charter school will be responsible for any excess costs attributable to the placement on the same terms as applied to districts in any school year.
8. A district IEP team may place a student in a charter school program only with agreement between responsible educational entities including the LEA of residence and the charter school

and with parental consent. Under such circumstances, the placing district will be responsible for any excess costs in accordance with the Marin SELPA Local Plan.

9. The chartering district will be allocated all special education funds that are generated by a charter school that is deemed a public school. The chartering district will represent the needs of charter schools that are deemed public schools in the Marin SELPA governance structure. The charter school will receive Marin SELPA services in the same manner as other schools within the chartering district.
10. Consistent with notification requirements by districts of their intent to operate programs, if the charter school wishes to be deemed an LEA, the approved charter school will apply to the Marin SELPA Director for LEA status prior to February 1 of the preceding school year.
11. Charter schools that are deemed an LEA will be allocated special education funds in the same manner as other districts within the SELPA. Charter schools that are deemed an LEA will be included in the Marin SELPA governance structure in the same manner as districts.
12. If the approval of a charter school requires a change in any Marin SELPA policy, procedure or agreement, such change shall be adopted pursuant to the policy making process outlined in the Marin SELPA Local Plan.
13. When a charter school operating within the jurisdiction of the Marin County SELPA has no affiliation with an LEA within the Marin SELPA, neither the Marin SELPA nor the local district within which the charter school is located has an obligation to reach agreement on provisions of special education services. If the charter school is granted by an entity outside of the Marin SELPA, provisions for programs and services will be determined by the charter school, the chartering entity and the related chartering entity's SELPA through inter-SELPA agreements. Any services by Marin County SELPA or member districts shall be arranged in advance.
14. Charter schools may enroll students who reside outside of the Marin SELPA and the allocation plan shall not exclude such students, contingent upon the state funds including 602 funding following the student.
15. All state and federal funding for special education apportioned on behalf of students enrolled in charter schools shall be included in the Fiscal Allocation Plan adopted by the Marin SELPA.
16. Consistent with district requirements, neither charter schools operating as LEA's or districts sponsoring charter schools can commit resources of the Marin SELPA beyond those resources available through the approved Marin SELPA Fiscal Allocation Plan
17. Consistent with district requirements, an LEA charter school may purchase services from a district or the county office of education in order to provide a full continuum of services and placement options for disabled students. The charter school purchasing services will pay for actual costs of the services including any costs in excess of the state and federal funding provided the charter school

18. Consistent with district requirements, agreements with charter schools operating as an LEA and agreements with charter schools that are public schools within a district should include the following statements and/or intentions:
 - a. The charter school will implement a Student Study Team process, a regular education function, to monitor and guide referrals for Section 504 and special education services.
 - b. That any student attending the charter school who is identified as potentially in need of Section 504 services shall be the responsibility of the charter school.
 - c. Describes the process for notifying the district of residence and the chartering district whenever a special education student enrolls, becomes eligible, ineligible and/or leaves the charter school.
 - d. Describes the process of transition to or from a district when a student with a current IEP enrolls in or transfers from the charter school.
19. The terms of this policy are severable. In the event that any of the provisions are determined to be unenforceable or invalid for any reason, the remainder of the policy shall remain in effect, unless mutually agreed otherwise by the members of the Marin SELPA Operational Steering Committee (OSC). The Marin SELPA OSC members agree to meet to discuss and resolve any issues or differences relating to invalidated provisions in a timely and proactive fashion.

**SECTION 12-13
APPENDIX E**

Marin Special Education Local Plan Area

AB602

FISCAL ALLOCATION PLAN

**14-15. Comprehensive System of Personnel
Development/Personnel Standards**

14-15. Comprehensive System of Personnel Development/Personnel Standards

*Federal Requirements: 20 USC 1412 (a) (14-15), 1413 (a) (3)
State Board Policy 6/11/98¹*

14-15.A. The Marin SELPA participates in the state comprehensive system of personnel development as established in the state improvement plan.

14-14.A.1. BACKGROUND:

The Marin SELPA provides staff development through the Marin County Office of Education (MCOE) Education Services, Region 1,4, and the SELPA.

The central countywide group for the coordination, planning and implementation of curriculum, professional development, restructuring and technology activities, and, for facilitation of information sharing and collaboration in the aforementioned areas is the Curriculum and Instruction Connection (CIC). All functions of the CIC are coordinated through the Education Services Division of the Marin County Office of Education. All LEAs in the Marin County SELPA and the SELPA staff are represented on the CIC. The CIC's Mission Statement is: "Through county-wide collaboration in curriculum and instruction, all educators, families, businesses, and the community will join together for the benefit of all Marin's students."

PROCEDURES FOR DETERMINING PARTICIPATION IN DESIGNING AND IMPLEMENTING THE ANNUAL PERSONNEL DEVELOPMENT PROGRAM PLAN:

Members of the SELPA's Operational Steering Committee (OSC) and Advisory Steering Committee (ASC) are either represented by personal participation or by direct input through the SELPA Director or designee on CIC. Input to staff development and parent training needs is channeled by instructional and support staff and the Special Education Advisory Committee (SEAC) to the Advisory Steering Committee via survey and other means. Input from ASC is directed to CIC, SELPA and Region 1,4 to be considered and incorporated, where agreed, in its planning and program delivery.

PROCEDURE FOR DETERMINING SELPA PERSONNEL DEVELOPMENT NEEDS:

Personnel development needs within the Marin SELPA are identified and determined based upon input received from a variety of sources. The SELPA disseminates a needs assessment survey to regular and special education personnel, private and nonpublic, nonsectarian schools and parents in Marin County. Additionally, input is received from the SELPA community advisory committee (SEAC), OSC and ASC. The SELPA also receives personnel development needs/requests directly from local school districts, nonpublic schools and agencies. Coordinated Compliance Review (CCR) and due process trends also provide relevant information regarding staff development needs. All personnel development needs are channeled through ASC for review, prioritization and inclusion in the SELPA's annual personnel development plan.

COORDINATION OF THE SELPA PERSONNEL DEVELOPMENT PLAN WITH OTHER STAFF DEVELOPMENT PLANS:

The Marin SELPA, through its Director and staff, meet and work cooperatively and collaboratively with the leadership of the Curriculum and Instruction Connection (CIC) to plan and implement personnel development programs each school year.

Each year since 1992-93, all school districts, including the County Office of Education, have participated in workshops conducted during countywide staff development days. Workshops involving special education topics have specifically addressed identified professional development needs.

All school districts and their respective schools have School Improvement Plans (SIP). Special education personnel and parents are included in the development and implementation of staff development plans and programs at their respective school sites. Coordination between SELPA and school site staff development plans occurs through CIC and ASC.

SELPA PROCEDURES FOR EVALUATING THE ANNUAL PERSONNEL DEVELOPMENT PLAN:

For all personnel development activities, participants are asked to complete an evaluation form. The information received is tabulated and used for purposes of determining the effectiveness of presentation. SELPA staff reports results to the ASC for evaluating outcomes of the personnel development plan and for assisting in designing future personnel development plans. The SELPA Director is responsible for the overall evaluation of the personnel development plan.

SELPA ARTICULATION WITH THE REGIONAL COORDINATING COUNCIL:

The Marin SELPA actively participates in all Region 1,4 Coordinating Council Meetings as well as in the planning and implementation of the Region 1,4 Conference. Additionally, Marin and all other SELPAs within Region 1,4 continue to work cooperatively and collaboratively in the sharing of resources, advisement and invitation to local professional development activities. The planning and sharing of information helps to avoid any unnecessary duplication of inservice topics and activities.

14-15.B. The Marin SELPA works closely with the Marin County Office of Education Personnel Division and the Countywide Personnel Committee to ensure that there is an adequate supply of qualified and adequately prepared special education, general education and related services personnel.

14-15.B.1. The Marin County Office of Education Personnel Division takes the following steps to ensure that there is an adequate supply of qualified and adequately prepared special

education, general education and related services personnel:

- Establishes a countywide Personnel Committee that meets on a regular basis to share information about personnel needs, recruitment activities and available candidates for employment.
- Develops and assists districts with implementation of a countywide fingerprint system to check on new employees.
- Establishes and maintains a job hotline for information on available jobs in Marin County.
- Establishes and maintains a website on the Internet with position announcements for all districts in Marin County.
- Conducts an annual Job Fair.
- Advertises with state and private universities for available positions.
- Advertises with local, San Francisco and other newspapers for available positions.
- Maintains a Credentials Analyst to assist with the application of credentials, review of credential requirements and application of waivers.

The Marin SELPA conducts a Resource Specialist Certificate Training Program approved by CTC at least three times a year. Advertisements are sent to ASC members for distribution to their employees requiring the certificate, other SELPAs and to persons requesting the information. College credit for the Resource Specialist Certificate Training Program is provided through Dominican College.

14-15.C. The Marin SELPA participates in the California Reading Initiative. (See Section 14-15 Appendix A Marin SELPA Literacy Amendment.)

14-15.C.1. The Marin SELPA Literacy Amendment includes specific information to ensure that all students who require special education will participate in the California Reading Initiative. (See Section 14-15 Appendix A Marin SELPA Literacy Amendment.)

14-15.C.2. The Marin SELPA Literacy Amendment describes how special education instructional personnel will participate in staff development inservice opportunities in the area of literacy that includes:

14-15.C.2.a. Information about current literacy and learning research

14-15.C.2.b. State adopted standards and frameworks

14-15.C.2.c. Increased participation of students with disabilities in statewide student assessments

14-15.C.2.d. 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

14-15.C.3. The Marin SELPA Literacy Amendment addresses how students with disabilities will have full access to:

14-15.C.3.a. All required core curriculum including state adopted core curriculum textbooks and supplementary textbooks

14-15.C.3.b. Instructional materials and support in order that students with disabilities attain high standards in reading

SECTION 14-15 APPENDIX A

Marin County Special Education Local Plan Area

LITERACY AMENDMENT

The Marin County SELPA ensures that all students who require special education will participate in the California Reading Initiative, just as do all other students in districts throughout the county.

Special education instructional personnel will participate in staff development inservice opportunities in the area of literacy that include information on:

- current literacy and learning research
- the implementation of state adopted standards and frameworks and local standards adopted by local District Boards of Education
- research based instructional strategies, including best practices, for teaching reading to a wide-range of diverse learners, in order to increase the percentage of children with disabilities who are literate

Each of the districts in Marin County will include special education staff in the AB 2519 materials and selection process, in order to support alignment with State standards. We will also include all staff in staff development activities related to literacy and reading, as well as any state or regional training based on new legislation (e.g., the California Reading and Literature Subject Matter Project, the Summer Reading Academy, and the rollouts on the state frameworks).

The goals of the Marin SELPA are:

- to increase the participation of students with disabilities in statewide student assessment
- o increase the percentage of children with disabilities who are literate, and
- to assure that students with disabilities attain higher standards in reading.

In order to reach these goals, we assure that students with disabilities will have full access to all required core curriculums, including state-adopted core curriculum textbooks, supplementary textbooks; and instructional materials and support to attain higher standards in reading.

16. Performance Goals and Indicators

16. Performance Goals and Indicators

Federal Requirements: 20 USC 1412 (16)

Refer to SED-LP-1, Certification of Participation, Compatibility and Compliance Assurances as well as discussion of Key Performance Indicators in the Annual Service Plan.

17. Participation in Assessments

17. Participation in Assessments

Federal Requirements: 20 USC 1412 (17)

Refer to Statement of Assurances as well as Discussion of Key Performance Indicators in the Annual Service Plan.

18. Supplementation of State, Local and Other Federal Funds

18. Supplementation of State, Local and Other Federal Funds

Federal Requirements: 20 USC 1412 (18)

See Annual Budget Plan

19. Maintenance of Financial Effort

19. Maintenance of Financial Effort

Federal Requirements: 20 USC 1412 (a) (19), CFR 30.231-2

See Annual Budget Plan

20. Public Participation

20. Public Participation

Federal Requirements: 20 USC 1412 (a) (20)

See Sections 12-13, Governance Appendix B Description of Governance and Administration of the Marin Special Education Local Plan.

21. Suspension and Expulsion Rates

21. Suspension and Expulsion Rates

Federal Requirements: 20 USC 1412 (a) (22)

Refer to Statement of Assurances

22. Part C-Infants and Toddlers with Disabilities

22. Part C-Infants and Toddlers with Disabilities

Federal Requirements: 20 USC 1431-35

California Requirements: EC 52140, (California Interagency Services Act SB 1085)

EC 56205 (b) (3), EC 56429, 14 GC 95000 et seq., 17 CCR 52000-52175

Requirement: California Early Intervention Services Act, 17 CCR 52140

22.A. The Marin SELPA Interagency Agreement with Golden Gate Regional Center contains but is not limited to the following:

22.A.1. The responsibilities of each LEA and regional center for meeting the terms of the agreement. (See Section 9 Appendix A Marin SELPA Interagency Agreement with Golden Gate Regional Center and Section 9 Appendix B. Memorandum of Understanding Regarding Part C Services.)

22.A.2. Procedures for coordination of child find activities with local public agencies and regional centers to identify infants and toddlers who may be eligible for early intervention services. (See Section 9 Appendix A See Marin SELPA Interagency Agreement with Golden Gate Regional Center page 2.)

22.A.3. Specific procedures for coordination of referrals for evaluation and assessment. (See Section 9 Appendix A Marin SELPA Interagency Agreement with Golden Gate Regional Center pages 2-4.)

22.A.4. Procedures for the assignment of a service coordinator. (See Section 9 Appendix A Marin SELPA Interagency Agreement with Golden Gate Regional Center page 11 and Section 9 Appendix B. Memorandum of Understanding Regarding Part C Services page 5.)

22.A.5. Interagency procedures for identifying the responsibilities of the regional center and LEA for completing the evaluation and assessment and determining within the time requirements contained in Section 52086 of these regulations, when and infant or toddler may receive services from both the regional center and LEA. (See Section 9 Appendix A Marin SELPA Interagency Agreement with Golden Gate Regional Center page 4 & 11 and Section 9 Appendix B Memorandum of Understanding Regarding Part C Services page 5.)

22.A.6. Procedures for the timely exchange of information between regional centers and LEAs. (See Section 9 Appendix A Marin SELPA Interagency Agreement with Golden Gate Regional Center pages 1-6 and Section 9 Appendix B Memorandum of Understanding Regarding Part C Services pages 3-4.)

22.A.7. Mechanisms for ensuring the availability of contacts at regional centers and LEAs at all time during the year: The Marin SELPA and the Golden Gate Regional Center has staff available year round and agrees to comply with all procedural safeguards as required by law. The Matrix Baby Line is in operation year round to accept referrals. The Early Start Roundtable meets year round to process referrals. (See Section 9 Appendix A Marin SELPA

Interagency Agreement with Golden Gate Regional Center pages 8 and Section 9 Appendix B Memorandum of Understanding Regarding Part C Services pages 3-8.)

22.A.8. Procedures for interagency IFSP development when infants and toddlers may be eligible for early intervention services from the regional center and the LEA or other state or local program or services. (See Section 9 Appendix A Marin SELPA Interagency Agreement with Golden Gate Regional Center page 11 and Section 9 Appendix B Memorandum of Understanding Regarding Part C Services pages 3-8.)

22.A.9. Procedures to ensure the provision of services during periods of school vacations when services are required on the IFSP. (See Section 9 Appendix A Marin SELPA Interagency Agreement with Golden Gate Regional Center page 11 and Section 9 Appendix B. Memorandum of Understanding Regarding Part C Services pages 6-8.).

22.A.10 Transition planning procedures which begin at least six months prior to a toddler's third birthday pursuant to 17 CCR 52112 of the regulations. (See Section 9 Appendix A Marin SELPA Interagency Agreement with Golden Gate Regional Center and Section 9 Appendix B Memorandum of Understanding Regarding Part C Services pages 7-8 and Section 9 Appendix D Part H Referral Process.)

22.A.11. Procedures for resolving disputes between regional centers and LEAs. (See Section 9 Appendix A Marin SELPA Interagency Agreement with Golden Gate Regional Center page 12 and Section 9 Appendix B Memorandum of Understanding Regarding Part C Services pages 8-9.)

22.A.12. Procedures for the training and assignment of surrogate parents. (See Section 9 Appendix A Marin SELPA Interagency Agreement with Golden Gate Regional Center and Section 9 Appendix B Memorandum of Understanding Regarding Part C Services page 8.)

22.A.13. Procedures for accepting transfers of infants or toddlers with existing IFSPs. The MOU Regarding Part C Services Intake Procedures apply to all infants and toddlers including transfers. (See Section 9 Appendix A Marin SELPA Interagency Agreement with Golden Gate Regional Center and Section 9 Appendix B Memorandum of Understanding Regarding Part C Services page 3-4.)

