



TWIN RIVERS
SELPA
DRAFT
Local Plan

June 2018

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Over-Identification and Disproportionality

[Appendix \[TO BE ATTACHED\]](#)



PREFACE

Education Code 56195 requires each special education local plan area (SELPA) to administer a local plan submitted pursuant to Chapter 3 (commencing with Section 56200) and to administer the allocation of funds pursuant to Chapter 7.2 (commencing with Section 56836).

Education Code 56195.1 permits the governing board of a school district, if of sufficient size and scope, to elect to submit its own local plan as a single-district SELPA. The California Department of Education requires a single-district SELPA to have at least kindergarten through 12th grade and 30,000 or more pupils.

The Twin Rivers Unified School District (District) serves over 30,000 students in District schools, charter schools that are authorized by the District, and special education students who are served in other programs. The District serves students from kindergarten through 12th grade residing within the boundaries of the District or attending District programs under other authorization. Accordingly, the Board of Trustees of the District elects to submit its own local plan for the purpose of providing comprehensive special education services as a single-district SELPA. The service area encompassed by the geographic limits of the District shall be known as the Twin Rivers Special Education Local Plan Area (Twin Rivers SELPA).

This Local Plan describes the policies and procedures by which the Twin Rivers SELPA will (1) ensure access to a free appropriate public education for all individuals with exceptional needs within the District and (2) ensure compliance with all applicable requirements of state and federal laws and regulations, including the Individuals with Disabilities Education Act and Part 30 of the California Education Code.



TWIN RIVERS UNIFIED SCHOOL DISTRICT: CREATING CONDITIONS FOR SUCCESS

Our Mission

To inspire each student to extraordinary achievement every day.

Vision

An unwavering focus on powerful and engaging learning experiences that prepare students for college, career and life success.

Core Beliefs

1. All students will graduate college, career and civic-minded ready.
2. All students will have a safe, clean and secure environment that is free of bullying and that creates opportunities for learning.
3. Student engagement is critical to student success.
4. Partnerships with all stakeholders are vital to student success.
5. TRUSD will be fiscally sound and maximize resources for student success.
6. TRUSD will honor diversity and create equity across the District.
7. TRUSD will identify, recruit, retain and develop the best employees.

Certification Forms

**Certification of Participation, Compatibility,
and Compliance Assurances**

| | | |
|--|------------------------------------|-----------------------|
| 1. Designate the Special Education Local Plan Area (SELPA) Option: | | |
| <input type="checkbox"/> Single District <input type="checkbox"/> Multiple District <input type="checkbox"/> District/County | | |
| SELPA Code | SELPA Name | Application Date |
| SELPA Address | SELPA City | SELPA Zip Code |
| SELPA Director Name (Print) | Director Telephone Number () | Director E-mail |
| 2. Certification of Assurances by the Designated Administrative and Fiscal Authority for this Program (Responsible Local Agency/Administrative Unit [RLA/AU]) | | |
| Designated RLA/AU Name | | |
| RLA/AU Address | RLA/AU City | RLA/AU Zip Code |
| Name of RLA/AU Superintendent | | Superintendent E-mail |
| Date of Governing Board Approval | | |
| I certify that this plan has been adopted by the governing body of the () and is the basis for the operation and administration of special education programs in the () presented will meet all applicable requirements of state and federal laws, regulations, and policies, including compliance with the Individuals with Disabilities Education Act, 20 United States Code, and the implementing regulations under 34 Code of Federal Regulations Parts 300 and 303, 25 United States Code, and the Rehabilitation Act of 1973 as amended, the provisions of the California Education Code, and the provisions of Title V of the California Code of Regulations. | | |
| Signature of RLA/AU Superintendent | | Date |
| 3. Certification of Participation by the County Superintendent of Schools | | |
| Name of County Office of Education (COE) | | |
| COE Address | COE City | COE Zip Code |
| Name of COE Superintendent | Superintendent Phone Number () | Superintendent E-mail |
| Pursuant to EC Section 56140, I certify that this plan ensures that all individuals with exceptional needs residing within the county, including those enrolled in alternative education programs, including but not limited to, alternative schools, charter schools, opportunity schools and classes, community day schools operated by school districts, community schools operated by the county office of education, and juvenile court schools, will have access to appropriate special education programs and related services. | | |
| Signature of County Superintendent or Authorized Representative | | Date |
| 4. Certification of the Community Advisory Committee | | |
| (Complete Form SED-LP-2) | | |
| For Department of Education Use Only | | |
| Recommended for Approval by the Superintendent of Public Instruction: | | |
| Date: | By: | Approval Date: |

**INSERT COMPLETED
TRUSD COPY**

**Certification of Participation, Compatibility,
and Compliance Assurances**

| Community Advisory Committee Certification | | |
|--|------------|---------------------|
| CAC Compliance Verification | Yes | No |
| The Community Advisory Committee (CAC) has advised the policy and administrative agency during the development of the Local Plan pursuant to California <i>Education Code (EC)</i> Section 56194. | | |
| To ensure adequate and effective participation and communication pursuant to <i>EC</i> 56195.9, parent members of the CAC, or parents selected by the CAC, participated in the development and update of the Local Plan for special education. | | |
| The plan has been reviewed by the CAC, and the committee had at least 30 days to conduct this review, prior to submission of the Local Plan to the Superintendent pursuant to <i>EC</i> 56205(b)(6). | | |
| The CAC has reviewed any revisions made to the Local Plan as a result of recommendations or requirements from the California Department of Education. | | |
| Name of Chairperson (print) | | |
| | | Phone () |
| Signature of CAC Chair | | Date |
| | | |

**INSERT COMPLETED
TRUSD COPY**

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

Community Advisory Committee Certification (SED- LP -2)



5115 Dudley Blvd., McClellan Park, CA 95652 • Phone: 916-566-1600

BOARD OF TRUSTEES

Michelle Rivas • Linda Fowler
Michael Baker • Bob Bastian • Basim Elkarra
Ramona Landeros • Rebecca Sandoval

SUPERINTENDENT

Dr. Steve Martinez

SPECIAL EDUCATION LOCAL PLAN AREA

The following pages 9-12 contain legally-mandated assurances. Each assurance contains within its heading a cite to the section of the United States Code, California Education Code or State Board of Education requirement that forms the basis of the assurance. Pursuant to the requirement of the State Board of Education, the assurances cannot be modified in any way.

SPECIAL EDUCATION LOCAL PLAN AREA LOCAL EDUCATION AGENCY ASSURANCES

SED-LP-5

1. **FREE APPROPRIATE PUBLIC EDUCATION (20 United States Code (USC) § 1412 (a)(1))**. It shall be the policy of this Local Educational Agency (LEA) that a free appropriate public education is available to all children with disabilities residing in the LEA between the ages of 3 and 21, inclusive, including children with disabilities who have been suspended or expelled from school.

2. **FULL EDUCATIONAL OPPORTUNITY (20 USC § 1412 (a)(2))**. It shall be the policy of this LEA that all children with disabilities have access to educational programs, non-academic programs, and services available to non-disabled children.

3. **CHILD FIND (20 USC § 1412 (a)(3))**. It shall be the policy of this LEA that all children with disabilities residing in the State, including children with disabilities who are homeless or are wards of the state and children with disabilities attending private schools, regardless of the severity of their disabilities, and who are in need of special education and related services, are identified, located, and evaluated. A practical method has been developed and implemented to determine which children with disabilities are currently receiving needed special education and related services.

4. **INDIVIDUALIZED EDUCATION PROGRAM (IEP) AND INDIVIDUALIZED FAMILY SERVICE PLAN (IFSP) (20 USC § 1412 (a)(4))**. It shall be the policy of this LEA that an Individualized Education Program (IEP) or an Individualized Family Service Plan (IFSP) that meets the requirements of 20 USC § 1436 (d), is developed, implemented, reviewed, and revised for each child with a disability who requires special education and related services in accordance with 20 USC § 1414 (d). It shall be the policy of this LEA that a review of an IEP will be conducted on at least an annual basis to review a student's progress and make appropriate revisions.

5. **LEAST RESTRICTIVE ENVIRONMENT (20 USC § 1412 (a)(5))**. It shall be the policy of this LEA that to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled. Special classes, separate schooling, or other removal of children with disabilities from the general educational environment, occurs only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.
6. **PROCEDURAL SAFEGUARDS (20 USC § 1412 (a)(6))**. It shall be the policy of this LEA that children with disabilities and their parents shall be afforded all procedural safeguards according to state and federal laws and regulations.
7. **EVALUATION (20 USC § 1412 (a)(7))**. It shall be the policy of this LEA that a reassessment of a child with a disability shall be conducted at least once every three years or more frequently, if appropriate.
8. **CONFIDENTIALITY (20 USC § 1412 (a)(8))**. It shall be the policy of this LEA that the confidentiality of personally identifiable data, information, and records maintained by the LEA relating to children with disabilities and their parents and families shall be protected pursuant to the Family Educational Rights and Privacy Act (FERPA).
9. **PART C TO PART B TRANSITION (20 USC § 1412 (a)(9))**. It shall be the policy of this LEA that children participating in early intervention programs (Individuals with Disabilities Education Act (IDEA), Part C), and who will participate in preschool programs, experience a smooth and effective transition to those preschool programs in a manner consistent with 20 USC § 1437 (a)(9). The transition process shall begin prior to the child's third birthday.
10. **PRIVATE SCHOOLS (20 USC § 1412 (a)(10))**. It shall be the policy of this LEA to assure that children with disabilities voluntarily enrolled by their parents in private schools shall receive appropriate special education and related services pursuant to LEA coordinated procedures. The proportionate amount of federal funds will be allocated for the purpose of providing special education services to children with disabilities voluntarily enrolled in private school by their parents.
11. **LOCAL COMPLIANCE ASSURANCES (20 USC § 1412 (a)(11))**. It shall be the policy of this LEA that the Local Plan shall be adopted by the appropriate local board(s) (district/county) and is the basis for the operation and administration of special education programs, and that the agency(ies) herein represented will meet all applicable requirements of state and federal laws and regulations, including compliance with the IDEA; the Federal Rehabilitation Act of 1973, Section 504 of Public Law; and the provisions of the California Education Code, Part 30.
12. **INTERAGENCY (20 USC § 1412 (a)(12))**. It shall be the policy of this LEA that interagency agreements or other mechanisms for interagency coordination are in effect to ensure services required for free appropriate public education are provided, including the continuation of services during an interagency dispute resolution process.
13. **GOVERNANCE (20 USC § 1412 (a)(13))**. It shall be the policy of this LEA to support and comply with the provisions of the governance bodies and any necessary administrative support to implement the Local Plan. A final determination that an LEA is not eligible for assistance under this part

will not be made without first affording that LEA with reasonable notice and an opportunity for a hearing through the State Educational Agency.

14. **PERSONNEL QUALIFICATIONS (20 USC § 1412 (a)(14))**. It shall be the policy of this LEA to ensure that personnel providing special education related services meet the highly qualified requirements as defined under federal law, and that those personnel have the content knowledge and skills to serve children with disabilities. This policy shall not be construed to create a right of action on behalf of an individual student for the failure of a particular LEA staff person to be highly qualified or to prevent a parent from filing a State complaint with the California Department of Education (CDE) about staff qualifications.

15. **PERFORMANCE GOALS & INDICATORS (20 USC § 1412 (a)(15))**. It shall be the policy of this LEA to comply with the requirements of the performance goals and indicators developed by the CDE and provide data as required by the CDE.

16. **PARTICIPATION IN ASSESSMENTS (20 USC § 1412 (a)(16))**. It shall be the policy of this LEA that all students with disabilities shall participate in state and district-wide assessment programs. The IEP team determines how a student will access assessments with or without accommodations, or access alternate assessments, consistent with state standards governing such determinations.

17. **SUPPLEMENTATION OF STATE, LOCAL AND FEDERAL FUNDS (20 USC § 1412 (a)(17))**. It shall be the policy of this LEA to provide assurances that funds received from Part B of the IDEA will be expended in accordance with the applicable provisions of the IDEA, and will be used to supplement and not to supplant state, local, and other federal funds.

18. **MAINTENANCE OF EFFORT (20 USC § 1412 (a)(18))**. It shall be the policy of this LEA that federal funds will not be used to reduce the level of local funds and/or combined level of local and state funds expended for the education of children with disabilities except as provided in federal laws and regulations.

19. **PUBLIC PARTICIPATION (20 USC § 1412 (a)(19))**. It shall be the policy of this LEA that public hearings, adequate notice of the hearings, and an opportunity for comments are available to the general public, including individuals with disabilities and parents of children with disabilities, and are held prior to the adoption of any policies and/or regulations needed to comply with Part B of the IDEA.

20. **RULE OF CONSTRUCTION (20 USC § 1412 (a)(20))**.
(Federal requirement for State Education Agency only)

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

22. **SUSPENSION AND EXPULSION (20 USC § 1412 (a)(22))**. The LEA assures that data on suspension and expulsion rates will be provided in a manner prescribed by the CDE. When indicated by data analysis, the LEA further assures that policies, procedures, and practices related to the development and implementation of the IEPs will be revised.

23. **ACCESS TO INSTRUCTIONAL MATERIALS (20 USC § 1412 (a)(23))**. It shall be the policy of this LEA to provide instructional materials to blind students or other students with print disabilities in a timely manner according to the state-adopted National Instructional Materials Accessibility Standard.

24. **OVERIDENTIFICATION AND DISPROPORTIONALITY (20 USC § 1412 (a)(24))**. It shall be the policy of this LEA to prevent the inappropriate over-identification or disproportionate representation by race and ethnicity of children as children with disabilities.

25. **PROHIBITION ON MANDATORY MEDICINE (20 USC § 1412 (a)(25))**. It shall be the policy of this LEA to prohibit school personnel from requiring a student to obtain a prescription for a substance covered by the Controlled Substances Act as a condition of attending school or receiving a special education assessment and/or services.

26. **DISTRIBUTION OF FUNDS (20 USC § 1411(e) and (f)(1-3))**.
(Federal requirement for State Education Agency only)

27. **DATA (20 USC § 1418 (a-d))**. It shall be the policy of this LEA to provide data or information to the CDE that may be required by regulations.

28. **CHARTER SCHOOLS (California Education Code § 56207.5 (a-c))**. It shall be the policy of this LEA that a request by a charter school to participate as an LEA in a Special Education Local Plan Area (SELPA) may not be treated differently from a similar request made by a school district.



California Department of Education
Form SED-LP-5 (Revised 3/2016)

Special Education Division

(Please copy on SELPA/District letterhead)

In accordance with federal and state laws and regulations, the _____ (District name) certifies that this plan has been adopted by the appropriate governing body (city/county) and is the basis for the operation and administration of special education services. The agency herein represented will meet all applicable federal laws, regulations, and state policies and procedures, including but not limited to the Individuals with Disabilities Education Act, 20 U.S.C. 1400, 1401, 1402, 1403, 1404, 1405 (20), 794- 794b, the Code of Federal Regulations, Part 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000. The California Code of Regulations.

Be it further resolved, that the _____ shall administer the local implementation of procedures, in accordance with federal laws, rules, and regulations, which will ensure that the _____

Furthermore, the _____ ensures that policies and procedures covered by this assurance statement are on file at the LEA and the SELPA offices, and are available to any interested party.

Adopted this _____ day of _____, 20_____.

Yeas: _____ Nays: _____

Signed: _____, Superintendent
(Use appropriate titles)

Local Agency Assurances & District Governing Board Certification (SED- LP -1)

SECTION 1 - GOVERNANCE

Policy

Twin Rivers SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

Governance

POLICY:

It shall be the policy of the Twin Rivers SELPA to support and comply with the provisions of the governance structure and any necessary administrative support to implement the local plan to assure access to special education services for all eligible individuals residing in the geographic area served by the Twin Rivers Unified School District or attending District programs under other authorization.

Reference: EC 56205, 56205(a)(12), 56205(a)(18), 56001(f); 56190-4, 56195.1(a); 56195.3, 56195.7(j)(1), 56195.9, 47640-47647, 56836.01
20 USC 1412(a); 20 USC 1413(a)(1); 20 USC 1413(a)(5)

PROCEDURE
Twin Rivers
SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

Governance

PROCEDURES:

1. Governance Structure

As a single-district SELPA, the Board of Trustees of the Twin Rivers Unified School District (Board) shall be the sole governing body of the Twin Rivers SELPA. The members of the Board are elected public officials subject to the District Board Policies. It is the intent of the Board for this Local Plan and the policies and procedures described herein to be in compliance with the District Board Policies.

The Board shall appoint the District Superintendent, who in turn shall provide a hiring recommendation for the Executive Director, Special Education/SELPA to the Board. The District Superintendent and the Executive Director, Special Education/SELPA shall oversee the operations of the Twin Rivers SELPA.

An organizational chart for the Twin Rivers SELPA is provided in Appendix A.

2. Policy Making Process

The District Board is responsible for adopting SELPA related policies at regularly scheduled public meetings of the Board. Prior to adoption, policies shall be developed cooperatively with input received from parents, students, special and regular teachers, staff, and members of the public at large.

The responsibilities of the Board pertaining to the policies of the SELPA, shall include, but are not limited to:

- A. Review and approve the Local Plan, including the annual budget and service plans.
- B. Adopt District policies relating to special education.
- C. Set priorities for the Local Plan.
- D. Assume responsibility and be fiscally accountable for the special education services operated by the SELPA.
- E. Enter into agreements or memorandums of understanding with other agencies for the purpose of delivering services and programs to students.
- F. Participate in the governance of the Local Plan.
- G. Approve revisions to the Local Plan.
- H. Appoint members to the Community Advisory Committee.
- I. Appoint members of the Program/Business Review Committee.
- J. Ensure compliance with all applicable laws and regulations.

3. Implementation of Administrative Functions

As a single-district SELPA, the District is designated as the Responsible Local Agency (RLA) and Administrative Unit (AU) for the Twin Rivers SELPA and shall be responsible for the administration of the Local Plan. It shall be responsible for functions such as, but not limited to:

- A. Receipt and distribution of special education funds to District accounts for the operation of special education programs and services;
- B. Receipt and distribution of special education funds to accounts exclusively designated for SELPA use; and
- C. The employment and evaluation of staff to support SELPA functions.

4. Responsibilities of the SELPA and District Administrators

Superintendent

With regard to the SELPA and Local Plan, the Superintendent of the District's responsibilities include but are not limited to:

- A. Leadership within the District in support of special education programs.
- B. Implementing all requirements of the Local Plan.
- C. Recommending the adoption of District board policies and administrative regulations regarding special education by the District Board.
- D. Recommending the adoption of the Local Plan, Annual Service Plan, and Annual Budget Plan by the Board.
- E. Contacting the Executive Director, Special Education/SELPA when a potential legal issue arises.
- F. Providing appropriate space at school sites for special education programs and services.

Additional information is available in the position description for the Superintendent.

Executive Director, Special Education/SELPA

The Executive Director, Special Education/SELPA, serves under the supervision of the Superintendent of the District, and is responsible for the provision of administrative support to include but not be limited to:

- A. Ensure provision of services to students with disabilities served by the SELPA.
- B. Monitor compliance with State and federal laws and regulations.
- C. Coordinate the administration, and implementation of the Local Plan and develop a calendar of meetings.

- D. Coordinate the development of forms, manuals and handbooks, and ensure they are provided to appropriate individuals.
- E. Coordinate Community Advisory Committee activities, including the development of an annual calendar.
- F. Coordinate Program/Business Review Committee activities, including the development of an annual calendar.
- G. Coordinate the development and implementation of the District/SELPA programs and student outcomes, and the annual accountability procedures.
- H. Provide coordination for due process, nonpublic school placements, and staff development.
- I. Prepare and submit any and all State waiver requests that are needed to allow for the provision of appropriate programs and services to students with disabilities.
- J. Coordinate services to students with disabilities through the development of procedural handbooks, negotiation and oversight of agreements, understandings, and ongoing dialogue.
- K. Develop and implement a plan for providing staff development opportunities to staff, parents, the Community Advisory Committee, and others.
- L. 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.
- M. Maintain and modify, as necessary, a Management Information System (MIS) to be utilized to record, document, and report student referrals, assessments, program planning, parent involvement and notifications, placements and evaluations.
- N. Act as a liaison to the California Department of Education, Department of Health and Human Services, California Children's Services, Alta California Regional Center, Sacramento County Office of Education, and any other agency in accordance with interagency agreements.
- O. Provide management of complaints with the California Department of Education (CDE), Office for Civil Rights (OCR), and Office of Administrative Hearings (OAH), and share the findings, as appropriate, and coordinate any necessary changes at the District/SELPA level.
- P. Propose amendments to the Local Plan to bring it into compliance if a portion or portions of the currently-adopted Local Plan are determined to be invalid due to:
 - Conflict with existing State or Federal laws or regulations,
 - Conflict with changes in State or Federal laws or regulations, or
 - Invalidation by an Administrative Law Judge or court of law.
- Q. Develop recommendations for, facilitate the development of, and administer the Annual Budget Plan and Annual Service Plan.
- R. Develop annual income and expenditure budgets for the implementation of special education programs and services for the SELPA.

- S. Receipt and distribution of special education funds to accounts exclusively designated for SELPA use.
- T. Make staff assignments, supervise, and evaluate special education personnel.

Additional information is available in the position description for the Executive Director, Special Education/SELPA.

Special Education/SELPA Department

The District Special Education/SELPA Department, under the direction of the Executive Director, Special Education/SELPA, is designated as the entity responsible for the administration of the Local Plan and assuring that the SELPA is in compliance with all applicable laws and requirements. These responsibilities include and are not limited to:

- A. Identification, referral, placement and monitoring of special education students in accordance with State and Federal laws and regulations. The SELPA will utilize a Management Information System (MIS) to record, document, and report student referrals, assessments, program planning, parent involvement and notifications, placements and evaluations.
- B. Procedural safeguards will be followed in accordance with State and Federal laws and regulations.
- C. Interagency agreements between the State Department of Education and other public agencies and agreements between the District/SELPA and other public agencies will be followed. The SELPA will participate, as necessary, in meetings with other public agencies established to coordinate and/or fund services for students with disabilities.
- D. Developing recommendations regarding the number, type, and location of special education classes, programs, and services based on (a) the service limits and proportions established by the State, and (b) the number of students with special education needs.
- E. Ensure that special day class programs are geographically distributed within the District so that students may be placed in an appropriate special day class and assure equal access of all students to special education programs and services that will provide each student with an appropriate education as required by law.
- F. Coordinate, document, and report child find activities in public and private schools, and conduct related public awareness activities, as required by State and Federal laws and regulations.
- G. Maintain an inventory, complete required reports, receive funds, and approve purchases for low-incidence students utilizing low-incidence funds for equipment and services based upon California Department of Education-approved guidelines and local policies and procedures.

5. Program/Business Review Committee

The District Board shall create a Business/Program Review Committee, an advisory group responsible for developing and reviewing special education programs and monitoring costs of the SELPA. The

Business/Program Review Committee shall be comprised of administrators from both the District's Business office and Special Education office in order to provide a balanced perspective in making recommendations for the SELPA.

The Business/Program Review Committee shall be responsible for advisory functions such as, but not limited to:

- A. Generate program development recommendations the following year.
- B. Ensure standardization of interagency agreements and memorandums of understanding.
- C. Propose long range strategic planning.
- D. Examine budget information, including all Interim Reports, special education staffing ratios, programs currently in place, growth patterns, cost-cutting strategies, bill-back calculation factors, current enrollment figures, etc.
- E. Collect data/information as appropriate.
- F. Compile data into a meaningful, standardized format.
- G. Share information with decision-makers, including the Superintendent and Executive Director, Special Education/SELPA.
- H. Review and discuss the Annual Service Plan and Annual Budget Plan prior to the required public hearing and approval by the Board.

6. **Community Advisory Committee**

The District Board shall appoint a Community Advisory Committee (CAC), consisting of parents of individuals with exceptional needs enrolled in public or private schools, parents of other pupils enrolled in school, pupils and adults with disabilities, regular education teachers, special education teachers and other school personnel, representatives of other public and private agencies, and persons concerned with the needs of individuals with exceptional needs.

Pursuant to Education Code 56193, at least the majority of the CAC shall be composed of parents of pupils enrolled in the District's schools. Further, at least a majority of such parents shall be parents of individuals with exceptional needs. Members of local PTAs, special education teachers, general education classroom teachers and school personnel, students with disabilities, representatives of related public and private agencies, and other persons concerned with the needs of children with disabilities may also be represented.

The CAC shall serve only in an advisory capacity and shall be responsible to the District Board in accordance with the procedures specified in the Twin Rivers SELPA Community Advisory Committee Handbook.

The CAC shall be responsible for functions such as, but not limited to:

- A. Advise the Board regarding the development, amendment and review of the Local Plan, programs and services. The Board must review and consider comments from the CAC.

- B. Inform and advise SELPA staff regarding community conditions, aspirations, and goals for children with disabilities.
- C. Make recommendations for annual priorities to be addressed by the SELPA.
- D. Assist in parent education and in recruiting parents/guardians, volunteers, and agencies who may contribute to the implementation of the Local Plan.
- E. Encourage community awareness and involvement in the development and review of the Local Plan.
- F. Support activities on behalf of individuals with exceptional needs.
- G. Facilitate communication between schools, parents/guardians, and community.
- H. Assist in parent awareness of the importance of regular school attendance.
- I. Establish and review by-laws to govern committee operations, including a procedure designed to provide for a systematic rotation of the membership.

The Bylaws of the Community Advisory Committee are attached as Appendix B.

7. Amendments and Review of the Local Plan

This Local Plan will be developed, revised, and updated cooperatively by a committee of representatives of special and regular teachers and administrators selected by the groups they represent and with participation by parent members of the CAC, or parents selected by the CAC, in order to ensure adequate and effective participation and communication.

The Local Plan shall be reviewed whenever new legislation, regulations, and/or guidelines, or major changes in funding or services indicate the need for possible modification of the Local Plan.

Proposed amendments to the Local Plan shall be effective upon approval by the District Board, the County Office of Education, and the State Superintendent. Nothing in this section shall modify the requirements of Education Code 56205 requiring an annual budget and annual service plan.

Changes or amendments to the permanent portions of the Local Plan may be considered during the annual service and budget plan process. Amendments approved in this manner would become effective upon subsequent approval by the District Board and the State Board of Education.

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

SECTION 2 - COMMUNITY RELATIONS

POLICY

Twin Rivers SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

Public Participation

It shall be the policy of the Twin Rivers SELPA to ensure that members of the public, including parents or guardians of individuals with exceptional needs who are receiving services under the Local Plan, may address questions and concerns to the Board of Trustees of the Twin Rivers Unified School District and the Executive Director, Special Education/SELPA.

In addition, the SELPA shall provide opportunities for public participation prior to adoption of policies and procedures.

Reference: EC 56205(a)(18), 56205(b)(4)
20 USC 1412(a)(19)

PROCEDURE

Twin Rivers SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

Public Participation

Members of the public, including parents or guardians of individuals with exceptional needs who are receiving services under the Local Plan, may address questions or concerns to the Superintendent of the Twin Rivers Unified School District and/or the Executive Director, Special Education/SELPA by phone, email, or scheduling an appointment.

Members of the public may also address the Board of Trustees of the District during any regularly scheduled Board meeting.

Members of the public will be provided an opportunity for comment prior to the adoption of any policies and procedures needed to comply with federal and state law (including any amendments to any such policies and procedures).

SECTION 3 - BUSINESS & NON-INSTRUCTIONAL OPERATION

POLICY

**Twin Rivers
SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)**

Annual Budget Plan

POLICY:

It shall be the policy of the Twin Rivers SELPA to adopt an Annual Budget Plan at a public hearing for which written notice has been provided at least 15 days prior to the hearing. The Annual Budget Plan may be revised during any fiscal year. The Business/Program Committee shall monitor the use of funds within the Twin Rivers SELPA to ensure that all funds appropriated are expended for the purposes intended and to develop a process for the reallocation of funds necessitated by changes in law or as a result of changing needs within the Twin Rivers SELPA.

Reference: EC 56205(b)(1); 56836.01

PROCEDURE

Twin Rivers SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

Annual Budget Plan

PROCEDURES:

The Annual Budget Plan shall be submitted one year after this Local Plan is approved by the CDE.

The Twin Rivers SELPA shall adopt an Annual Budget Plan that meets all requirements in Education Code 56205(b) at a public hearing. Notice of this hearing shall be provided to members of the staff, parents and the general public by posting said notice at each school located within the SELPA and at the Twin Rivers Unified School District's office at least 15 days prior to the hearing.

The Annual Budget Plan will be based on the recommendations of the Program/Business Committee and approval by the District Board. The Annual Budget Plan shall identify expected expenditures for all items required to implement the delivery of special education services, and shall include:

- a. Funds received in accordance with Education Code 56836 et seq.
- b. Administrative costs of the plan.
- c. Special education services to pupils with severe disabilities and low incidence disabilities.
- d. Special education services to pupils with non-severe disabilities.
- e. Supplemental aids and services to meet the individual needs of pupils placed in general education classrooms and environments.
- f. Regionalized operations and services, and direct instructional support by program specialists in accordance with Education Code 56836.23 and 56836.31.
- g. The use of property taxes allocated to the SELPA pursuant to Section 2572.

The Twin Rivers SELPA shall establish accounting practices which clearly identify the purpose for which federal funds were expended in support of special education programs. An audit trail of the expenditures should clearly indicate a relationship between budget allocations and expenditures.

The Annual Budget Plan will be attached as Appendix E.

POLICY

**Twin Rivers
SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)**

Annual Service Plan

POLICY:

It shall be the policy of the Twin Rivers SELPA to adopt an Annual Service Plan at a public hearing for which written notice has been provided at least 15 days prior to the hearing. The Annual Service Plan may be revised during any fiscal year. The Business/Program Committee shall monitor, review and develop the special education programs provided by the SELPA.

Reference: EC 56205(b)(2)

PROCEDURE

Twin Rivers SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

Annual Service Plan

PROCEDURES:

The Annual Service Plan shall be submitted one year after this Local Plan is approved by the CDE.

The Twin Rivers SELPA shall adopt an Annual Service Plan that meets all requirements in Education Code 56205(b)(2) at a public hearing. Notice of this hearing shall be posted at the Twin Rivers Unified School District office at least 15 days prior to the hearing.

The Annual Service Plan will be based on the recommendations of the Program/Business Committee and approval by the District Board.

The Annual Service Plan shall include a description of services to be provided by the District and the Sacramento County Office of Education, including the nature of the services and the physical location at which the services will be provided, including alternative schools, charter schools, opportunity schools and classes, community day schools operated by the District, community schools operated by Sacramento County Office of Education, and juvenile court schools. This description shall demonstrate that all individuals with exceptional needs shall have access to services and instruction appropriate to meet their needs as specified in their individualized educational programs.

The Annual Service Plan will be attached as Appendix F.

POLICY

**Twin Rivers
SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)**

Supplementation of State, Local, and Federal Funds

POLICY:

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

Reference: EC 56205(a)(16)
20 USC 1412(a)(17)

PROCEDURE

Twin Rivers SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

Supplementation of State, Local, Federal Funds

PROCEDURES:

The Twin Rivers SELPA shall assure federal and state compliance through sound budget development and fiscal review. The SELPA will maintain and submit to appropriate agencies as required the following:

- Annual Service Plan
- Annual Budget Plan
- Annual Maintenance of Effort
- Plus any other additional fiscal or program information potentially required to meet the requirements of the policy.

The Twin Rivers SELPA shall establish accounting practices which clearly identify the purpose for which federal funds were expended in support of special education programs. An audit trail of the expenditures should clearly indicate a relationship between budget allocations and expenditures.

POLICY

**Twin Rivers
SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)**

Maintenance of Financial Effort

POLICY:

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

Reference: EC 56205(a)(17)
20 USC 1412(a)(18)

PROCEDURE

Twin Rivers SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

Maintenance of Financial Effort

PROCEDURES:

The Twin Rivers SELPA will ensure that funds received from Part B of the IDEA will be expended in accordance with the applicable provisions of the IDEA; will be used to supplement state, local and other federal funds and not to supplant those funds; and will not be used to reduce the level of local funds and/or combined level of local and state funds expended for the education of children with disabilities except as provided in federal law and regulations.

The District shall establish accounting practices which clearly identify the purpose for which federal funds were expended in support of special education programs. An audit trail of the expenditures should clearly indicate a relationship between budget allocations and expenditures.

SECTION 4 – Education & Instruction

POLICY

**Twin Rivers
SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)**

Data

POLICY:

It shall be the policy of the Twin Rivers SELPA to collect, maintain, and provide required data or information to the California Department of Education about the individuals with disabilities who are eligible for special education and related services.

Reference: EC 56195.8(b)(6)
20 USC 1418

PROCEDURE

Twin Rivers SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

Data

PROCEDURES:

The Twin Rivers SELPA shall collect, maintain, and provide data or information to the California Department of Education as required by law and by District policy. Such data includes, but is not limited to, the number and percentage of children with disabilities being provided special education and related services, identified by race, ethnicity, limited English proficiency status, gender, and disability category, who receive the types of services or are included in the types of categories identified in 20 USC 1418.

This data shall be collected and reported in a timely fashion to meet the required deadlines.

Current required data reports include, but are not limited to, the following:

- CASEMIS (California Special Education Management Information System)
- Emergency Behavior Interventions
- Personnel
- Annual Service Plan
- Annual Budget Plan

POLICY

Twin Rivers SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

Performance Goals & Indicators

POLICY:

It shall be the policy of the Twin Rivers SELPA to comply with the requirements of the performance goals and indicators developed by the California Department of Education (CDE) and provide data as required by the CDE.

Reference: EC 56205(a)(12)
 20 USC 1412(a)(15)

PROCEDURE

Twin Rivers SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

Performance Goals & Indicators

PROCEDURES:

The Twin Rivers SELPA believes that all students need to meet high standards of academic knowledge and skills. In addition, they must have the ability to apply their skills to the workplace, where they will be required to adapt to emerging technologies and changing societal needs.

The Twin Rivers Unified School District recognizes that content and performance standards are necessary to clarify for students, parents/ guardians, and staff what students are expected to know and be able to do at each grade level and in each area of study. Student goals and objectives on individual IEPs shall be based on the State content standards whenever appropriate.

The District shall provide data and/or information to the California Department of Education (CDE) required by regulations for purposes of the State Performance Plan (SPP). Current data reporting includes, but is not limited to, the following:

- Pupil count information through CASEMIS
- Desired Results Developmental Profile (DRDP)

POLICY

**Twin Rivers
SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)**

Over-Identification and Disproportionality

POLICY:

It shall be the policy of the Twin Rivers SELPA to prevent the inappropriate disproportionate representation by race and ethnicity of students with disabilities, including children with disabilities with a particular impairment.

Reference: EC 56205(a)(21)
20 USC 1412(a)(24), 1418(d)
34 CFR 300.647

PROCEDURE

Twin Rivers SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

Over-Identification and Disproportionality

PROCEDURES:

The Twin Rivers SELPA will monitor student trends with the intent of averting inappropriate, disproportionate representation by race and ethnicity of students with disabilities.

The District shall:

- Collect and analyze student trend data pertinent to the disproportionate calculation as reported through CASEMIS to the California Department of Education (CDE). Such data includes, but is not limited to, the number and percentage of children with disabilities, identified by race, ethnicity, limited English proficiency status, gender, and disability category, who receive the types of services or are included in the types of categories identified in 20 USC 1418.
- Provide training and up-to-date information from CDE on over-identification and disproportionality to District administrators and staff.

POLICY

**TWIN RIVERS
SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)**

Suspension/Expulsion Rates

POLICY:

It is the policy of the Twin Rivers SELPA that data on suspension and expulsion rates will be provided in a manner prescribed by the California Department of Education (CDE). When indicated by data analysis, the Twin Rivers SELPA assures that policies, procedures and practices related to the development and implementation of the Individualized Education Programs (IEPs) will be revised.

Reference: EC 56205(a)(19)
20 USC 1412(a)(22)

PROCEDURE
TWIN RIVERS
SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

Suspension/Expulsion Rates

PROCEDURES:

The Twin Rivers SELPA will ensure that data on suspension and expulsion rates will be provided in a manner prescribed by the California Department of Education (CDE).

When indicated by data analysis, the Twin Rivers SELPA assures that policies, procedures and practices related to the development and implementation of the Individualized Education Programs (IEPs), the use of positive behavioral interventions and supports, and procedural safeguards, will be revised.

POLICY

Twin Rivers SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

Low Incidence Disabilities and Access to Instructional Materials

POLICY:

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

In addition, the Twin Rivers SELPA shall provide special education and related services to students identified as having “low incidence disabilities,” in a manner that is consistent with state and federal laws and regulations.

Reference: EC 56205(a)(20)
20 USC 1412(a)(23)
5 CCR 3051.16

PROCEDURE

Twin Rivers SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

Low Incidence Disabilities and Access to Instructional Materials

PROCEDURES:

The Twin Rivers SELPA shall ensure that IEP teams follow all state and federal regulations to ensure that each pupil with a low incidence disability receives the specialized equipment, materials, services, and any other identified instructional support necessary for them to benefit from special education.

“Low incidence disabilities” means a severe disabling condition with an expected incidence rate of less than one (1) percent of the total statewide enrollment in kindergarten through grade 12. Current low incidence disabilities include hearing impairments (deaf or hard of hearing), vision impairments (blind or visually impaired), and severe orthopedic impairments, or any combination thereof.

When a student is assessed as having a low incidence disability and is determined to need specialized services, materials, or equipment, personnel who assess the student shall prepare a written report which shall identify the specific educational need for any specialized services, books, materials, and equipment for such pupils, consistent with guidelines established by the State.

The District will ensure that each Individualized Education Program (IEP) team follows all state and federal regulations in determining an appropriate plan for the pupil with a low incidence disability, including but not limited to access to the least restrictive environment. The IEP team shall also identify the goals or objectives the student is expected to achieve with the assistance of the specialized services, materials, and equipment.

Specialized services provided to students with a low incidence disability related services may include but are not limited to such services as readers, transcribers, and vision and hearing services. Such specialized services will be provided by appropriately credentialed or trained individualize specific to the impairment.

Low incidence funds may only be used to purchase specialized services, materials, and equipment, which are necessary due to the adverse educational impact of a low incidence disability on access to instruction and learning. Low incidence funding is intended to supplement and not supplant other available funding for books and materials.

The Executive Director of Special Education/SELPA shall ensure that all eligibility requirements are met prior to approving any expenditure requests of low incidence funds.

The District will ensure that specialized books, materials, and equipment are purchased; that the use of equipment is coordinated as necessary; and that the books, materials, and equipment are reassigned when a student no longer needs them.

The process to utilize low incidence funds includes the following procedures:

1. Funds allocated to the District from the State are deposited in a separate budgeting account established for that purpose.

2. The Executive Director, Special Education/SELPA has the responsibility to manage the disbursement of funds in accordance with SELPA policy.
3. The Special Education/SELPA Department has the responsibility to:
 - a. Develop an application process and appropriate forms to be used in applying for low incidence funding.
 - b. Review all requests for low incidence funding submitted.
4. All purchases of approved low incidence specialized books, materials and equipment are to be made by the District in accordance with District's purchasing practices.
5. Copies of purchase orders, billings and verification of payment must be submitted to the appropriate representative in the Purchasing Department in order to receive reimbursement for items purchased with low incidence funds.
6. The Special Education/SELPA Department shall maintain a record of the cost and location of all items purchased with low incidence dollars for specialized books, materials, and equipment.

POLICY

**Twin Rivers
SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)**

Transportation for Students with Disabilities

POLICY:

It shall be the policy of the Twin Rivers SELPA that appropriate transportation services are provided for students with disabilities as specified in their individualized education program (IEP) of Section 504 plan. The Twin Rivers Unified School District shall make home-to-school transportation available for students at no cost to parents/guardians as specified in the student's IEP or Section 504 plan.

Reference: EC 56195.8(b)(5), 41851.2, 48915.5, 56345, 56366
20 USC 1401(26)
34 CFR 300.34(c)(16)

PROCEDURES

Twin Rivers SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

Transportation for Students with Disabilities

PROCEDURES:

The Twin Rivers SELPA shall ensure that transportation is provided as a related service to students with disabilities at no cost to the parent/guardian if it is required to assist the student to benefit from special education as determined by the student's IEP team or Section 504 team.

The District will provide a transportation system and services that will allow for students' placement in the least restrictive environment while also allowing for the most cost-effective special education transportation system.

"Special education transportation" is defined as: (EC 41851.2)

- (1) The transportation of severely disabled special day class pupils, and orthopedically impaired pupils who require a vehicle with a wheelchair lift, who received transportation in the prior fiscal year, as specified in their individualized education program.
- (2) A vehicle that was used to transport special education pupils.

The primary consideration in determining whether a student with disabilities requires transportation services is the student's needs. When considering whether a student needs transportation as a related service, the IEP team or Section 504 team may consider some or all of the following depending on the student's unique needs:

1. The student's medical diagnosis and health needs including, but not limited to: whether long bus rides could affect a student's health (duration, temperature control, need for services, health emergencies), general ability and/or strength to ambulate/wheel, approximate distance from school or the distance needed to walk or wheel oneself to the school, and needs in inclement or very hot weather.
2. The student's physical accessibility of curbs, sidewalks, streets, and public transportation systems.
3. The student's capacity to avoid getting lost, to avoid dangerous traffic situations, and to avoid potentially dangerous situations on the way to and from school.
4. Other transportation needs as required on a student's IEP.
5. Extended school year services.

If transportation services are to be provided for students receiving special education programs or services, the student's IEP must include a statement to that effect. A student's IEP must be specific and detailed enough to inform the parties of how, when, and from where to where transportation will be provided. The District may provide special education transportation to and from alternative sites or clinics where the student is scheduled to receive a related service if included in the student's IEP. If arrangements for

reimbursement of parents are required, the IEP must specify the amount and frequency of reimbursement.

Special education students who do not meet any of the above criteria may use the District's regular education home-to-school transportation if available. A student who would otherwise not be eligible for special education transportation may receive such transportation if assigned to a site other than his/her neighborhood school for the purpose of receiving special education.

Students admitted to a special education program in the District on an inter-district transfer agreement must, as a condition of attendance, arrange for the student's school district of residence or SELPA of residence to provide the student with any necessary transportation.

All mobile seating devices, when used, must be compatible with the securement systems required by the Federal Motor Vehicle Safety Standard No. 222 (49 CFR 571.222). Further, the District shall ensure that all school bus drivers are trained in the proper installation of mobile seating devices in the securement systems.

SECTION 5 - PERSONNEL

POLICY

Twin Rivers SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

Personnel Qualifications and Development

POLICY:

It shall be the policy of the Twin Rivers SELPA to ensure that personnel providing special education and related services meet the highly qualified requirements as defined under federal law and state law, including that those personnel have the content knowledge and skills to serve children with disabilities. Any teacher assigned to serve students with disabilities shall possess an appropriate credential or other authorization that specifically authorizes him/her to teach students with that primary disability within the program placement recommended in the students' individualized education programs (IEP).

This policy shall not be construed to create a right of action on behalf of an individual student for the failure of a particular staff person to be highly qualified or to prevent a parent/guardian from filing a State complaint with the California Department of Education (CDE) about staff qualifications.

It shall be the policy of the SELPA that resource specialist programs be operated in accordance with state law. Further, caseloads for special education staff will be in accordance with state law.

Reference: EC 56195.8(b)(4), 56195.8(b)(7), 56205(a)(13); 56059; 56070, 56362, 56362.1, 56363.3, 56441.7
20 USC 1412(a)(14), 1412(a)(3)
5 CCR 80046.5

PROCEDURE

Twin Rivers SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

Personnel Qualifications and Development

PROCEDURES:

Personnel Qualifications and Development

The Twin Rivers SELPA shall take steps to ensure that there are appropriately qualified and adequately prepared special education and related services personnel. Such steps shall include, but not be limited to, the following:

1. Take measurable steps to recruit, hire, train, and retain highly qualified personnel to provide special education, designated instruction and services, and related services to individuals with exceptional needs.
2. Require a state-approved or state-recognized certification, licensing, registration, or other comparable requirements that apply to the professional discipline in which those personnel are providing special education or designated instruction and services, and related services.
3. Ensure that personnel who deliver services in their discipline or profession meet the requirements under state law and have not had certification or licensure requirements waived on an emergency, temporary, or provisional basis.
4. Provide training for new staff as well as ongoing staff development activities for special education administrators, teachers, and support staff.
5. Allow paraprofessionals and assistants opportunities for training and supervision, in accordance with state law, regulation, or written policies.
6. Where there is a shortage of such personnel, the most qualified individuals available who are making satisfactory progress toward completing applicable coursework necessary to meet state standards shall be assigned.
7. Provide opportunities for special education instructional personnel to participate in staff development activities in the area of literacy that include:
 - a. Information about current literacy and learning research.
 - b. State-adopted standards and frameworks.
 - c. Increased participation of students with disabilities in statewide student assessments.
 - 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.

Resource Specialists

The District's resource specialist program shall provide, but not be limited to: (Education Code 56362)

- A. Resource specialist(s) to provide instruction and services for students whose needs have been identified in their individualized education program (IEP) and who are assigned to regular classroom teachers for a majority of the school day. A student shall not be enrolled in a resource specialist program for a majority of a school day without approval by the student's IEP team.
- B. Information and assistance to students with disabilities and their parents/guardians.
- C. Consultation, resource information, and material regarding students with disabilities to their parents/guardians and regular education staff members.
- D. Coordination of special education services with the regular school programs for each student with disabilities enrolled in the resource specialist program.
- E. Monitoring of student progress on a regular basis, participation in the review and revision of IEPs as appropriate, and referral of students who do not demonstrate sufficient progress to the IEP team.
- F. At the secondary school level, emphasis on academic achievement, career and vocational development, and preparation for adult life.

Resource specialists shall not simultaneously be assigned to serve as resource specialists and to teach regular classes. The District's resource specialist program shall be under the direction of a resource specialist who possesses the qualifications specified in Education Code 56362 and 5 CCR 80070.8. At least 80% of the resource specialists within the SELPA shall be provided with an instructional aide.

Caseloads

The Superintendent or designee shall ensure that caseloads for special education teachers are within the maximum caseloads established by law, the collective bargaining agreement, and/or the comprehensive plan of the SELPA.

No resource specialist shall have a caseload which exceeds 28 students. As necessary and with the agreement of the resource specialist, the Board may request a waiver from the State Board of Education to increase the caseload to no more than 32 students, provided that an individual resource specialist does not have a caseload exceeding 28 students for more than two school years and has the assistance of an instructional aide at least five hours daily during the period of the waiver.

The average caseload for language, speech, and hearing specialists shall not exceed 55 cases in the SELPA. The maximum caseload for speech and language specialists exclusively serving children with disabilities age 3-5 shall not exceed 40.

Additional information regarding the qualifications and assignment of special education teachers in the District is in Administrative Regulation 4112.23.

SECTION 6 – STUDENT RELATED

POLICY

Twin Rivers SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

Early Intervention Services

POLICY:

It is the policy of the Twin Rivers SELPA to provide early intervention services for infants and toddlers from birth to 36 months of age who reside within the boundaries of the Twin Rivers Unified School District and are identified as eligible for special education services in accordance with the provisions and guidelines of California's Early Start Program.

The SELPA shall ensure that a transition process for a child who is participating in Early Intervention Programs (Part C of the IDEA) with an IFSP is begun prior to the child's third birthday, and that the process is smooth, timely and effective for the child and family.

References: EC 56205(a)(9), 56205(b)(3), 56425, 56429
Government Code 95000-95303

PROCEDURES

Twin Rivers SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

Early Intervention Services

PROCEDURES:

The Twin Rivers SELPA has procedures to ensure that infants and toddlers who reside within the boundaries of the District and are identified as eligible for special education services from birth to 36 months of age receive early intervention services in accordance with the provisions and guidelines of California's Early Start Program.

- A. A collaborative effort will continue with all agencies in Sacramento County to ensure services to infants and their families. The following public agencies within Sacramento County have provided and will continue to provide services:

Alta California Regional Center
Early Head Start
Sacramento County Office of Education
California Children's Services

Agency involvement is a major component of the Infant Program. Ongoing agency participation and involvement is essential to the Infant Program and participating families.

- B. Major goals and objectives for the Infant Program are:

1. To inform parents/guardians, agencies and the communities that special education services are available for identified and eligible infants from birth to 36 months.
2. To coordinate the referral and assessment components with the appropriate agencies including assessment in all five domains, and vision and hearing with parents/guardians are involved in the assessment process.
3. To provide an educational program for infants and their families to best meet their individual and family needs based on the family's concerns, priorities and resources and assessment information. The delivery of services will be provided whenever possible in the "natural environment" which may include a combination of home, community settings, day care, preschools, and community center based programs.
4. To incorporate parent and family education and involvement as an integral part of the total comprehensive program.

- C. Staffing of the Infant Program

The Infant Program is staffed using a transdisciplinary team approach. Membership on the teams shall consist of a group of professionals from various disciplines and agencies, including an early childhood

special educator, speech and language therapist, school nurse, school psychologist, and others when appropriate. The team will be used in assessment, program planning, the Individual Family Service Plan (IFSP) process, and IFSP implementation and review.

The team process shall involve the crossing of disciplinary boundaries the sharing of expertise and knowledge.

D. Collaborative Teams

Special agency teams have been established and utilized in Sacramento County to assist families and agencies in exploring alternative services, coordination of services and program options. The benefits of a multiagency team are:

1. A team approach saves time and energy and provides families with information and support.
2. Parents are able to meet with all agency representatives who may be involved with the infant.
3. A team approach provides an opportunity to explore all resources and options with the family and all team members.
4. Agencies are more effective when working with all participants; to encourage creative problem solving techniques.
5. The team is able to decide the nature and level of involvement.
6. Services available will focus on the infant as an individual within the family.

E. Interagency Agreements

Procedures for identification, assessment, instruction, planning, implementation, review, and the transition between Part C to Part B are identified in the interagency agreements between Alta California Regional Center and the Twin Rivers SELPA and the Sacramento County Office of Education and the Twin Rivers SELPA.

F. Staff Development

Pre-service and in-service training and education will be provided to assure early intervention providers have the necessary skills in working with other agencies and families. Staff development will be conducted on an interdisciplinary basis to the extent appropriate and will address the training needs of all staff, including public/private providers. Training will include but is not limited to the following areas:

1. Interagency and family/professional collaboration
2. Coordination of transition services from infant to preschool programs and services
3. Basic components and requirements of California's Early Intervention Services Act
4. Strategies to enhance the development and implementation of IFSPs
5. Other topics identified from local needs assessments

G. Parent Support and Education

Parent support and education will continue to be a primary focus on both a formal and informal basis. Parents and families will have an opportunity to participate in family education training provided by a variety of agencies, as appropriate.

The District's Special Education Procedure Manual addresses early childhood in Chapter 12.

POLICY

**Twin Rivers
SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)**

Preschool Programs

POLICY:

It is the policy of Twin Rivers SELPA to provide educational preschool services for children from three through five years of age who reside within the boundaries of the Twin Rivers Unified School District and are identified as eligible for special education.

Reference: EC 56205(b)(3), 56440-56447.1

POLICY

Twin Rivers SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

Preschool Programs

PROCEDURES:

- A. The Twin Rivers SELPA will provide educational preschool services for children identified as eligible for special education from three years through five years of age. These services will be provided by the Twin Rivers Unified School District and will be available to all eligible preschool children within the boundaries of the District. The services will be designed to support a standards-based preschool curriculum. Any person making a referral for special education assessment will contact the Twin Rivers SELPA or District staff or school of residence who will arrange to screen students and/or institute the referral process.
- B. Special education programs and services for children between the ages of three and five years of age will include opportunities for active parent participation and involvement and may include the following:
 - 1. Parent/guardian education and training
 - 2. Parent/guardian participation in their child's education program
 - 3. Agency awareness
 - 4. Direct services to children
- C. The District operates a continuum of service options for preschool age students and to the extent possible provides services to assure equal access to all services and programs available to nondisabled children. Appropriate settings may include:
 - 1. A public school setting which provides an age appropriate environment, materials and services;
 - 2. Head Start programs;
 - 3. Programs located within a community setting;
 - 4. The child's natural environment which may include the home;
 - 5. Regular public or private nonsectarian preschool programs;
 - 6. A special education preschool program with children who are not disabled attending and participating for all or part of the program in accordance with EC 56441.4 (e);
 - 7. A special site where preschool programs for both children with disabilities and children who are not disabled are located close to each other and have an opportunity to share resources and programming in accordance with EC 56441.4(d); or
 - 8. A special class, school or site for children with disabilities.

As the preschool child approaches the age to enter an elementary school environment, the child's preparation shall be geared toward a readiness for kindergarten and later school success.

- D. The District may provide preschool services by any of the following methods:
 - 1. Directly by the District;
 - 2. Through an interagency agreement between the District and another public agency;
 - 3. Through a contract with another public agency pursuant to EC 56369; and/or
 - 4. Through a contract with a certified nonpublic, nonsectarian school, or nonpublic, nonsectarian agency pursuant to Section 56366.
- E. A transdisciplinary team approach shall be provided and shall include appropriate personnel. Transdisciplinary teams shall involve the crossing of disciplinary boundaries, sharing skills and expertise, and shall incorporate an appropriate range of approaches in working with children and families. The teams will be utilized in assessment, program planning, the IEP process, and IEP implementation and review.
- F. Transition services will be a major focus for preschool children transitioning to Kindergarten, first grade, or any other educational programs. The major goals of preschool transition services within the SELPA are to:
 - 1. Support successful transition in the child's education program and learning;
 - 2. Ensure continuation of appropriate support provided to families;
 - 3. Provide support and information to the receiving programs;
 - 4. Support children and families experiencing change.
- G. The SELPA will ensure that appropriate staff are knowledgeable of sending and receiving program services, policies, and procedures in order to assure an appropriate transition. Transition planning also needs to focus on providing information and support to families in order to address their concerns, priorities and resources. A transition timeline needs to be established no later than between four and six months prior to the transition actually occurring. As children become ready to transition to another preschool program, kindergarten, or to first grade, an assessment needs to be done to prepare the IEP Team to determine the child's needs.
 - 1. An appropriate assessment of the child with disabilities shall be conducted. A transition IEP meeting for each child will be conducted to determine if the child is still in need of special education and services. At this transition meeting, an individual from the school/District will be designated to follow the child's progress.
 - 2. Appropriate staff must be included in the meeting in order to promote an effective transition for the child, the family, and the community.
 - 3. If the child is going to exit from special education services, the general education staff will be notified.

POLICY

**Twin Rivers
SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)**

Prohibition on Mandatory Medicine

POLICY:

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

Reference: EC 56040.5, 56205(a)(22)
20 USC 1412(a)(25)

PROCEDURE
Twin Rivers
SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

Prohibition on Mandatory Medicine

PROCEDURES:

The Twin Rivers SELPA shall prohibit school personnel from requiring a prescription for a substance covered by the Controlled Substances Act as a condition of a student attending school or receiving a special education assessment and/or special education or related services.

The prohibition on mandatory medicine does not prohibit teachers and other school personnel from consulting or sharing classroom-based observations with parents or guardians regarding a student's academic and functional performance, or behavior in the classroom or school, or regarding the need for evaluation for special education or related services.

POLICY

**Twin Rivers
SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)**

Reading Literacy

POLICY:

It is the policy of the Twin Rivers SELPA that in order to improve the educational results for students with disabilities, all students with special needs will have the opportunity to participate in the general education curriculum and the least restrictive environment in accordance with the student's IEP.

Reference: EC 56195.7(c)(5)
State Board of Education Literacy Policy

PROCEDURE

Twin Rivers SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

Reading Literacy

PROCEDURES:

In order to improve the educational results for students with disabilities, the Twin Rivers SELPA will ensure that all students with special needs have the opportunity to participate in the general education curriculum and the least restrictive environment as determined by the student's IEP team.

State Standards and Frameworks

Through an adoption process of standards-based materials that are aligned to frameworks, students have full access to appropriate grade level standards based instruction. The District will ensure that special education staff assigned to school sites within the District will have the opportunity to provide input into curriculum and materials adopted to support alignment with standards.

Reading Instruction to Diverse Learners

Teachers are encouraged to use a variety of instructional strategies to accommodate the needs of beginning readers and the varying abilities of more advanced readers.

Students who are identified as ELL are provided supplemental language support. Adopted language arts materials provide comprehensive supplemental support for ELL, low and high achieving, and intervention literacy program support to all students K-12.

Staff Development Activities

The District shall provide on-going professional development that are designed to provide instructional staff with knowledge about how students develop language skills, the ability to analyze students' developing literacy, the implementation of state-adopted standards, and the ability to draw from a variety of instructional strategies and materials.

All special education staff will participate in staff development opportunities in the area of literacy that includes, but is not limited to:

- Information about current literacy and learning research that aligns with state adopted standards and frameworks;
- Evidence based instructional methods for teaching reading and writing to a wide range of diverse learners in order to increase the percentage of students with disabilities who are literate;
- Increased participation of students with disabilities in statewide student assessments with and without accommodations as monitored by the IEP process; and
- Any additional state or regional training based on new legislation.

Full Access

All students in District programs have full access to the core language arts program.

Student Assessment

All students will participate in all state required assessments, including specialized assessments with appropriate IEP accommodations and/or modifications, as determined by the IEP team.

Assurances of Attaining Higher Standards

District staff will work collaboratively to provide standards based instruction for special needs students. Key documents that will be referenced include but are not limited to:

- *The Twin Rivers Unified School District Literacy Plan*
- *The California ELA/ELD Framework*
- *The California Dyslexia Guidelines*
- *Foundational Skills to Support Reading for Understanding in Kindergarten Through 3rd Grade*

POLICY

Twin Rivers SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

Confidentiality

POLICY:

It shall be the policy of the Twin Rivers SELPA to maintain the confidentiality of personally identifiable information and records maintained by the Twin Rivers Unified School District of all children with disabilities who are eligible for special education and related services and who reside within the boundaries of the District or attend District programs under other authorization in accordance with federal and state special education laws and the Family Educational Rights and Privacy Act (FERPA).

Reference: EC 56205(a)(8), 56515 (a)
20 USC 1412(a)(8)
20 USC 1417
20 USC 1232g
34 CFR 300.310-300.627

PROCEDURE

Twin Rivers SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

Confidentiality

PROCEDURES:

The Twin Rivers SELPA has developed procedures to protect the identification, description, and security of student records, as well as timely access for authorized persons. These procedures shall align with state and federal laws, which ensure parental rights to notice, review, inspect, and copy student records, and shall protect the student and the student's family from invasion of privacy. These policies and procedures include, but are not limited to, the following:

1. Shall designate a certificated employee to serve as custodian of student records.
2. All special education student files shall have an access log requiring signature.
3. All special education student files shall be maintained in a locked secured location.
4. Notice to parents/guardians shall include:
 - access rights to records
 - fees for duplication
 - list of types and locations of information
 - amendment of records at parent's request
 - opportunity for hearing
 - consent for destruction of information
 - child's privacy rights

Personally identifiable information includes the student's, parent/guardian's, or other family member's first and last name, a home or other physical address (including street name and the name of the city or town), a telephone number, or a social security identification number, a student number, or a list of personal characteristics, or other information that would make it possible to identify the child with reasonable certainty.

District Board Policy 5145.1 and Administrative Regulation 5145.1 also address student records and confidentiality.

POLICY

**Twin Rivers
SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)**

Free Appropriate Public Education (FAPE)

POLICY:

It shall be the policy of Twin Rivers SELPA, a free appropriate public education (FAPE) is available to all children with disabilities who are eligible for special education and related services and who reside within the boundaries of the Twin Rivers Unified School District or attend District programs under other authorization, including children with disabilities who have been suspended or expelled from school.

Reference: EC 56205(a)(1), 56031
20 USC 1412(a)(1)

PROCEDURE

Twin Rivers SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

Free Appropriate Public Education (FAPE)

PROCEDURES:

The Twin Rivers SELPA shall provide, or arrange for provision of, special education instruction and services for students with disabilities eligible for special education and related services in accordance with the federal Individuals with Disabilities Education Act (IDEA). Modifications and/or supplementary aids and services shall also be provided as needed for students who are eligible for services under Section 504 of the federal Rehabilitation Act of 1973, the Americans with Disabilities Act and related federal regulations. Appropriate education is that combination of educational and related service(s) as determined on an Individualized Education Program (IEP) that meets the unique needs of each student with a disability in order to benefit from his/her access to educational opportunities.

POLICY

Twin Rivers SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

Least Restrictive Environment

POLICY:

It is the policy of the Twin Rivers SELPA that to the maximum extent appropriate, children with disabilities are educated with nondisabled peers. Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the type or severity of the disability of the child is such that education in regular classes, with the use of supplemental aids and services, cannot be achieved satisfactorily.

Supplemental aids and services means aids, services, and other support that are provided in regular education classes or other education-related settings and in extracurricular and nonacademic settings to enable individuals with exceptional needs to be educated with nondisabled children to the maximum extent appropriate.

The Twin Rivers SELPA shall ensure the following to address the least restrictive environment for individuals with exceptional needs:

- a. To the maximum extent appropriate, individuals with exceptional needs, including children in public or private institutions or other care facilities, are educated with children who are nondisabled.
- b. Special classes, separate schooling, or other removal of individuals with exceptional needs from the regular educational environment occurs only if the nature or severity of the disability is such that education in the regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

Reference: EC 56205(a)(5), 56033.5, 56040.1
20 USC 1412(a)(5)(A)
34 CFR 300.42, 300.114-300.120

PROCEDURE

Twin Rivers SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

Least Restrictive Environment

PROCEDURES:

Physical Location of Programs

The Twin Rivers SELPA shall ensure that the physical location of the special education programs is chosen to encourage continuing social interaction with nondisabled students. Program location decisions within the District are driven by a commitment to produce continuing social interaction among regular and special education students.

The promotion of positive social interaction between students with disabilities and nondisabled students will guide decisions and actions concerning the physical location of special education programs. To maximize social interaction with nondisabled peers, students with disabilities will be placed in facilities that provide access to school extracurricular activities unless their IEPs document reasons that placement in alternative settings is appropriate.

Equal Access to General Education

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

The District will ensure that IEPs contain a statement of supplementary aids and services that the student with a disability needs to ensure his/her participation in the general education curriculum to the maximum extent appropriate.

- The District shall encourage all school personnel to facilitate opportunities for social as well as academic interaction among individuals with disabilities and nondisabled individuals.
- The District shall provide school personnel the necessary support to ensure student success such as, but not limited to, in-service training provided to assist staff in meeting the social and educational needs of students with disabilities, current laws, and diversity.
- The District shall ensure that a pupil will be referred for special educational instruction and services only after the resources of the regular education program have been considered and, where appropriate, utilized. Such resources may include, but not be limited to, Student Study Teams, early literacy programs, and remedial programs.
- When a student's IEP team determines that the student requires specialized equipment and/or service, the equipment and/or service shall be provided to the student at his or her classroom site unless the IEP provides documentation that the equipment and/or service is to be provided by an alternative means, as determined by the student's unique needs.

The District's Special Education Procedure Manual addresses the least restrictive environment in Chapter 8.

POLICY

**Twin Rivers
SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)**

Full Educational Opportunity

POLICY:

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

Reference: EC 56205, 56033.5, 56345.2
20 USC 1401,1412(a)(2)
34 CFR 300.117, 300.34, 300.42

PROCEDURE
Twin Rivers
SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

Full Educational Opportunity

PROCEDURES:

Special education means specially designed instruction, at no cost to the parent/guardian, to meet the unique needs of individuals with exceptional needs, including instruction conducted in the classroom, in the home, in hospitals and institutions, and other settings, and instruction in physical education.

Supplementary aids and services means aids, services, and other support that are provided in regular education classes or other education-related settings and in extracurricular and nonacademic settings to enable individuals with exceptional needs to be educated with nondisabled children to the maximum extent appropriate.

A full range of program options and services are provided by the Twin Rivers Unified School District. The appropriate services for a student are determined by the student's Individualized Education Program (IEP) team based on the student's instructional needs and not on the student's disability. Services options include but are not limited to:

- General Education Classroom: A nondisabled peer instructional setting appropriate for inclusion and access to the core curriculum.
- Specialized Academic Instruction: Adapting, as appropriate to the needs of the child with a disability, the content, methodology, or delivery of instruction to ensure access of the child to the general curriculum, so that he or she can meet the educational standards within the jurisdiction of the public agency that apply to all children.
- Intensive Individual Instruction: Additional support for all or part of the day to meet his or her IEP goals.
- Related Services: Means transportation and such developmental, corrective, and other supportive services (including speech-language pathology and audiology services, interpreting services, psychological services, physical and occupational therapy, recreation, including therapeutic recreation, social work services, and school nurse services designed to enable an individual with exceptional needs to receive a Free Appropriate Public Education (FAPE) as described in the Individualized Education Program (IEP) of the child, counseling services including rehabilitation counseling, orientation and mobility services, and medical services, except that such medical services shall be for diagnostic and evaluation purposes only) as may be required to assist an individual with exceptional needs to benefit from special education, and includes the early identification and assessment of disabling conditions in children.

Related Services do not include a medical device that is surgically implanted, including cochlear implants, the optimization of the functioning of a medical device, maintenance of that device, or the replacement of that device.

POLICY

**Twin Rivers
SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)**

Individualized Education Programs (IEPs)

POLICY:

It shall be the policy of the Twin Rivers SELPA that an individualized education program (IEP) or an Individualized Family Service Plan (IFSP) is developed, reviewed and revised for each child with a disability who requires special education and related services in accordance with federal and state law.

It shall be the policy of the SELPA, to review, at a general education or special education teacher's request, of the assignment of a child with a disability to his or her class and a meeting of the IEP team if the review indicates a change in the student's placement, instruction, related services, or any combination thereof.

Reference: EC 56205, 56195.7, 56195.8(b)(2), 56341
20 USC 1412 (a) (4), 1414(d), 1436(d)

PROCEDURE
Twin Rivers
SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)
Individualized Education Programs (IEPs)

PROCEDURES:

The Twin Rivers SELPA will initiate and conduct IEP meetings for developing, reviewing, and/or revising the IEP of each student with a disability residing within the boundaries of the Twin Rivers Unified School District or attending District programs under other authorization, and the District will implement IEPs.

Members of the IEP Team

The District will ensure that the IEP team for any student with a disability includes the following members: (EC 56341, 56341.2, 56341.5; 20 USC 1414(d)(1); 34 CFR 300.321)

1. One or both of the student's parents/guardians, and/or a representative selected by the parent/guardian.
2. If the student is or may be participating in the regular education environment, at least one regular education teacher.

If more than one regular education teacher is providing instructional services to the student, the District may designate one such teacher to represent the others.

3. At least one special education teacher or, where appropriate, at least one special education provider for the student.
4. A representative of the District who is:
 - a. Qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of students with disabilities.
 - b. Knowledgeable about the general education curriculum.
 - c. Knowledgeable about the availability of District/SELPA resources.
5. An individual who can interpret the instructional implications of assessment results.

This individual may already be a member of the team as described in items #2-4 above or in item #6 below.

6. At the discretion of the parent/guardian or District, other individuals who have knowledge or special expertise regarding the student, including related services personnel, as appropriate.

The determination of whether the individual has knowledge or special expertise regarding the student shall be made by the party who invites the individual to be a member of the IEP team.

7. Whenever appropriate, the student with a disability.

8. For transition service consideration:

- a. The student, regardless of his/her age, if the purpose of the meeting is the consideration of the student's postsecondary goals and the transition services needed to assist him/her in reaching those goals pursuant to 34 CFR 300.320(b).

If the student does not attend the IEP team meeting, the District shall take other steps to ensure that his/her preferences and interests are considered.

- b. To the extent appropriate, and with the consent of the parent/guardian, a representative of any other agency that is likely to be responsible for providing or paying for transition services.

9. For students suspected of having a specific learning disability in accordance with 34 CFR 300.308 and 34 CFR 300.310, at least one individual who is qualified to conduct individual diagnostic examinations of the student, such as a school psychologist, speech language pathologist, or remedial reading teacher.

In accordance with 34 CFR 300.310, at least one team member other than the student's regular education teacher shall observe the student's academic performance and behavior in the areas of difficulty in his/her learning environment, including in the regular classroom setting. If the child is younger than five years or not enrolled in school, a team member shall observe the child in an environment appropriate for a child of that age.

10. For students who have been placed in a group home by the juvenile court, a representative of the group home.

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

A member of the IEP team shall not be required to attend an IEP team meeting, in whole or in part, if the parent/guardian and the District agree, in writing, that the attendance of the member is not necessary because the member's area of the curriculum or related services is not being modified or discussed at the meeting. Even if the meeting involves a discussion of the IEP team member's area of the curriculum or related service, the member may be excused from the meeting if the parent/guardian, in writing, and the District consent to the excusal after conferring with the member and the member submits to the parent/guardian and team written input into the development of the IEP prior to the meeting. (EC 56341(f)-(h); USC 1414(d)(1)(C); 34 CFR 300.321)

Parent/Guardian Participation and Other Rights

The District shall take steps to ensure that one or both of the parents/guardians of the student with a disability are present at each IEP team meeting or are afforded the opportunity to participate. These steps shall include notifying the parents/guardians of the meeting early enough to ensure that they will have

the opportunity to attend and scheduling the meeting at a mutually agreed upon time and place. (EC 56341.5; 34 CFR 300.322)

The District shall send parents/guardians notices of IEP team meetings that: (EC 56341.5; 34 CFR 300.322)

1. Indicate the purpose, time, and location of the meeting.
2. Indicate who will be in attendance at the meeting.
3. Inform them of:
 - a. Their right to bring to the meeting other individuals who have knowledge or special expertise about the student, pursuant to EC 56341(b)(6).
 - b. The provision of Education Code 56341(i) relating to the participation of a representative from the early education or early intervention program at the initial IEP team meeting, if the student was previously served under Early Education for Individuals with Exceptional Needs (EC 56425-56432) or the California Early Intervention Services Act (Government Code 95000-95004).

In addition, when the IEP team meeting is to consider the development, review, or revision of the IEP of a student with a disability who is 16 years of age, or younger than 16 if deemed appropriate by the IEP team, the District's notice to the student's parents/guardians shall include the following: (EC 56341.5)

1. An indication that a purpose of the meeting will be the consideration of postsecondary goals and transition services for the student pursuant to EC 56345.1, 20 USC 1414(d)(1)(A)(i)(VIII), and 34 CFR 300.320(b).
2. An indication that the student is invited to the IEP team meeting.
3. Identification of any other agency that will be invited to send a representative.

At each IEP team meeting convened by the District, the District administrator or specialist on the team shall inform the parent/guardian and student of the federal and state procedural safeguards included in the notice of parental rights provided pursuant to EC 56321. (EC 56500.1)

The parent/guardian shall have the right and opportunity to examine all of his/her child's school records upon request and before any IEP meeting. Upon receipt of an oral or written request, the District shall provide complete copies of the records within five business days. (EC 56043)

If neither parent/guardian can attend the meeting, the District shall use other methods to ensure parent/guardian participation, including video conferences or individual or conference telephone calls. (EC 56341.5; 20 USC 1414(f); 34 CFR 300.322)

An IEP team meeting may be conducted without a parent/guardian in attendance if the District is unable to convince the parent/guardian that he/she should attend. In such a case, the District shall maintain a record of its attempts to arrange a mutually agreed upon time and place for the meeting, including: (EC 56341.5; 34 CFR 300.322)

1. Detailed records of telephone calls made or attempted and the results of those calls;
2. Copies of correspondence sent to the parent/guardian and any responses received; and
3. Detailed records of visits made to the parent/guardian's home or place of employment and the results of those visits.

Parents/guardians and the District shall have the right to audio record the proceedings of IEP team meetings, provided members of the IEP team are notified of this intent at least 24 hours before the meeting. If the District gives notice of intent to audio record a meeting and the parent/guardian objects or refuses to attend because the meeting would be audio recorded, the meeting shall not be audio recorded. Parents/guardians also have the right to: (EC 56341.1)

1. Inspect and review the audio recordings.
2. Request that the audio recordings be amended if the parents/guardians believe they contain information that is inaccurate, misleading, or in violation of the student's privacy rights or other rights.
3. Challenge, in a hearing, information that the parents/guardians believe is inaccurate, misleading, or in violation of the student's privacy rights or other rights.

The District shall take any action necessary to ensure that the parents/guardians understand the proceedings of the meeting, including arranging for an interpreter for parents/guardians with deafness or whose native language is not English. (EC 56341.5; 34 CFR 300.322)

The District shall give the parents/guardians of a student with disabilities a copy of his/her child's IEP at no cost. (EC 56341.5; 34 CFR 300.322)

The District's Special Education Procedure Manual addresses IEPs in Chapters 5-7.

Parent/Guardian Consent

Before providing special education and related services, the District shall seek to obtain informed consent pursuant to 20 USC 1414(a)(1). The District shall not provide services by utilizing the due process hearing procedures pursuant to 20 USC 1415(f) if the parent/guardian refuses to consent to the initiation of services. If the parent/guardian does not consent to all of the components of the IEP, then those components to which the parent/guardian has consented shall be implemented so as not to delay providing instruction and services to the student. (EC 56346)

If the District determines that a part of a proposed IEP to which the parent/guardian does not consent is necessary in order to provide the student with a free appropriate public education (FAPE), a due process hearing shall be initiated in accordance with 20 USC 1415(f). While the due process hearing is pending, the student shall remain in the current placement unless the parent/guardian and the District agree otherwise. (EC 56346)

If at any time subsequent to the initial provision of services, the student's parent/guardian revokes consent, in writing, for the continued provision of special education services, the Superintendent or

designee shall provide prior written notice within a reasonable time before ceasing to provide services to the student. The District shall not request a due process hearing or pursue mediation in order to require an agreement or ruling that services be provided to the student. (EC 56346; 34 CFR 300.300, 300.503)

Prior to the discontinuation of services, the Superintendent or designee may offer to meet with the parents/guardians to discuss concerns for the student's education. However, this meeting shall be voluntary on the part of the parent/guardian and shall not delay the implementation of the parent/guardian's request for discontinuation of services. In addition, the Superintendent or designee shall send a letter to the parent/guardian confirming the parent/guardian's decision to discontinue all services. When the District ceases to provide special education services in response to the parent/guardian's revocation of consent, the student shall be classified as a general education student.

Contents of the IEP

The IEP shall be a written statement developed, reviewed, and revised in a meeting of the IEP team. It shall include, but is not limited to, all of the following: (EC 56043, 56345, 56345.1; 20 USC 1414(d)(1)(A); 34 CFR 300.320)

1. A statement of the present levels of the student's academic achievement and functional performance, including:
 - a. The manner in which the student's disability affects his/her involvement and progress in the general education curriculum (i.e., the same curriculum as for nondisabled students).
 - b. For a preschool child, as appropriate, the manner in which the disability affects his/her participation in appropriate activities.
 - c. For students with disabilities who take alternate assessments aligned to alternate achievement standards, a description of benchmarks or short-term objectives.
2. A statement of measurable annual goals, including academic and functional goals, designed to:
 - a. Meet the student's needs that result from his/her disability in order to enable the student to be involved in and progress in the general education curriculum.
 - b. Meet each of the student's other educational needs that result from his/her disability.
3. A description of the manner in which the student's progress toward meeting the annual goals described in item #2 above will be measured and when the District will provide periodic reports on the progress the student is making toward meeting the annual goals, such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards.
4. A statement of the specific special educational instruction and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the student, or on behalf of the student, and a statement of the program modifications or supports for school personnel that will be provided to enable the student to:
 - a. Advance appropriately toward attaining the annual goals.
 - b. Be involved and make progress in the general education curriculum in accordance with item #1 above and to participate in extracurricular and other nonacademic activities.

- c. Be educated and participate with other students with disabilities and nondisabled students in the activities described in the statement, pursuant to Education Code 56345.
- 5. An explanation of the extent, if any, to which the student will not participate with nondisabled students in the regular class and in extracurricular and other nonacademic activities described in the statement mentioned in item #4 above.
- 6. A statement of any appropriate individual accommodations necessary to measure the academic achievement and functional performance of the student on state and districtwide assessments.

If the IEP team determines that the student shall take an alternate assessment instead of a particular regular state or districtwide assessment, the student's IEP also shall include a statement of the reason that he/she cannot participate in the regular assessment and the reason that the particular alternate assessment selected is appropriate for him/her.

- 7. The projected date for the beginning of the services and modifications described in item #4 above and the anticipated frequency, location, and duration of those services and modifications.
- 8. Beginning not later than the first IEP to be in effect when the student is 16 years of age, or younger if determined appropriate by the IEP team, and updated annually thereafter, the following:
 - a. Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and where appropriate, independent living skills.
 - b. The transition services, including courses of study, needed to assist the student in reaching those goals.
- 9. Beginning at least one year before the student reaches age 18, a statement that the student has been informed of his/her rights, if any, that will transfer to the student upon reaching age 18, pursuant to Education Code 56041.5.

Where appropriate, the IEP shall also include: (EC 56345)

- 1. For students in grades 7-12, any alternative means and modes necessary for the student to complete the District's prescribed course of study and to meet or exceed proficiency standards required for graduation.
- 2. Linguistically appropriate goals, objectives, programs, and services for students whose native language is not English.
- 3. Extended school year services when the IEP team determines, on an individual basis, that the services are necessary for the provision of a free appropriate public education (FAPE).

4. Provision for transition into the regular education program if the student is to be transferred from a special class or center or nonpublic, nonsectarian school into a regular education program in a public school for any part of the school day.

The IEP shall include descriptions of activities intended to:

- a. Integrate the student into the regular education program, including indications of the nature of each activity and the time spent on the activity each day or week.
 - b. Support the transition of the student from the special education program into the regular education program.
5. Specialized services, materials, and equipment for students with low incidence disabilities, consistent with the guidelines pursuant to Education Code 56136.

Development, Review, and Revision of the IEP

In developing the IEP, the IEP team shall consider all of the following: (EC 56341.1, 56345; 20 USC 1414(d)(3)(A); 34 CFR 300.324)

1. The strengths of the student.
2. The concerns of the parents/guardians for enhancing the education of their child.
3. The results of the initial assessment or most recent assessment of the student.
4. The academic, developmental, and functional needs of the student.
5. In the case of a student whose behavior impedes his/her learning or that of others, the use of positive behavioral interventions and supports and other strategies to address that behavior.
6. In the case of a student with limited English proficiency, the language needs of the student as such needs relate to the student's IEP.
7. In the case of a student who is blind or visually impaired, the need to provide for instruction in Braille and instruction in the use of Braille.

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

8. The communication needs of the student, and in the case of a student who is deaf or hard of hearing, the student's language and communication needs, opportunities for direct communications with peers and professional personnel in the student's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the student's language and communication mode.

The team shall also consider the related services and program options that provide the student with an equal opportunity for communication access, (as described in Education Code 56345).

9. Whether the student requires assistive technology devices and services.

If, in considering the special factors in items #1-9 above, the IEP team determines that a student needs a particular device or service, including an intervention, accommodation, or other program modification, in order to receive a FAPE, the IEP team shall include a statement to that effect in the student's IEP. (EC 56341.1)

The IEP team will: (EC 56043, 56341.1, 56380; 20 USC 1414(d)(4); 34 CFR 300.324)

1. Review the IEP periodically, but at least annually, to determine whether the annual goals for the student are being achieved and the appropriateness of placement.
2. Revise the IEP, as appropriate, to address:
 - a. Any lack of expected progress toward the annual goals and in the general curriculum, where appropriate
 - b. The results of any reassessment conducted pursuant to EC 56381
 - c. Information about the student provided to or by the parents/guardians regarding review of evaluation data pursuant to 34 CFR 305(a)(2) and EC 56381(b)
 - d. The student's anticipated needs
 - e. Other matters
3. Consider the special factors listed in items #5-9 above when reviewing the IEP of a student with a disability who has additional behavior or communication needs.

The IEP team shall also meet: (EC 56343)

1. Whenever the student has received an initial formal assessment and, when desired, when the student receives any subsequent formal assessment.
2. The pupil demonstrates a lack of anticipated progress.
3. Upon request by the student's parent/guardian or teacher to develop, review, or revise the IEP.

The parent/guardian shall have the right to present information to the IEP team in person or through a representative and the right to participate in meetings that relate to eligibility for special education and related services, recommendations, and program planning. (EC 56341.1)

If a participating agency other than the district fails to provide the transition services described in the student's IEP, the team shall reconvene to identify alternative strategies to meet the transition service objectives set out for the student in the IEP. (EC 56345.1; 20 USC 1414(d); 34 CFR 300.324)

As a member of the IEP team, the regular education teacher shall, to the extent appropriate, participate in the development, review, and revision of the student's IEP, including assisting in the determination of: (EC 56341; 20 USC 1414(d)(3)(C); 34 CFR 300.324)

1. Appropriate positive behavioral interventions and supports and other strategies for the student.

2. Supplementary aids and services, program modifications, and supports for school personnel that will be provided for the student, consistent with 34 CFR 300.320.

To the extent possible, the district shall encourage the consolidation of reassessment meetings and other IEP team meetings for a student. (34 CFR 300.324)

The student shall be allowed to provide confidential input to any representative of his/her IEP team. (EC 56341.5)

When a change is necessary to a student's IEP after the annual IEP team meeting for the school year has been held, the parent/guardian and the District may agree not to convene an IEP team meeting for the purpose of making the change and instead may develop a written document to amend or modify the student's current IEP. The IEP team shall be informed of any such changes. Upon request, the District shall provide the parent/guardian with a revised copy of the IEP with the incorporated amendments. (EC 56380.1; 20 USC 1414(d)(3)(D); 34 CFR 300.324)

If a student with disabilities residing in a licensed children's institution or foster family home has been placed by the District in a nonpublic, nonsectarian school, the District shall conduct an annual evaluation as part of the IEP process of whether the placement is the least restrictive environment that is appropriate to meet the student's needs. (EC 56157)

Timelines for the IEP and for the Provision of Services

At the beginning of each school year, the District shall have an IEP in effect for each student with a disability served by the SELPA. (EC 56344; 34 CFR 300.323)

The District shall ensure that a meeting to develop an initial IEP is conducted within 30 days of a determination that a student needs special education and related services. The District shall also ensure that, as soon as possible following development of the IEP, special education services and related services are made available to the student in accordance with his/her IEP. (EC 56344; 34 CFR 300.323)

An IEP required as a result of an assessment of the student shall be developed within 60 days (not counting days between the student's regular school sessions, terms or days of school vacation in excess of five school days) from the date of receipt of the parent/guardian's written consent for assessment, unless the parent/guardian agrees, in writing, to an extension. (EC 56344)

However, an IEP required as a result of an assessment of a student shall be developed within 30 days after the commencement of the subsequent regular school year for a student for whom a referral has been made 30 days or less prior to the end of the regular school year. In the case of school vacations, the 60-day time limit shall recommence on the date that student's school days reconvene. (EC 56344)

When a parent/guardian requests an IEP team meeting to review the IEP, the team shall meet within 30 days of receiving the parent/guardian's written request, not counting days between the student's regular school sessions, terms, or days of school vacation in excess of five school days. If a parent/guardian makes an oral request, the district shall notify the parent/guardian of the need for a written request and the procedure for filing such a request. (EC 56043, 56343.5)

In accordance with EC 56195.8(b)(2), a regular education or special education teacher may request a review of the classroom assignment of a student by submitting a written request to the Superintendent or designee. The Superintendent or designee shall consider the request within 20 days of receiving it, not counting days when school is not in session or, for year-round schools, days when the school is off track. If the review indicates a need for change in the student's placement, instruction, and/or related services, the Superintendent or designee shall convene an IEP team meeting, which shall be held within 30 days of the Superintendent or designee's review, not counting days when school is not in session or days when school is off track, unless the student's parent/guardian consents in writing to an extension of time.

The District shall ensure that the student's IEP is accessible to each regular education teacher, special education teacher, related service provider, and any other service provider who is responsible for its implementation. The District shall also ensure that such teachers and providers are informed of their specific responsibilities related to implementing the IEP and the specific accommodations, modifications, and supports that must be provided to the student in accordance with the IEP. (EC 56347; 34 CFR 300.323)

Transfer Students

To facilitate the transition of a student with a disability who is transferring into the District, the District shall take reasonable steps to promptly obtain the student's records, including his/her IEP and the supporting documents related to the provision of special education services. (EC 56325; 34 CFR 300.323)

If the student transfers into the District from a school district outside of the District/SELPA during the school year, the District shall provide the student with a FAPE, including services comparable to those described in the previous district's IEP. Within 30 days, the District shall, in consultation with the student's parents/guardians, adopt the previous district's IEP or shall develop, adopt, and implement a new IEP that is consistent with state and federal law. (EC 56325; 34 CFR 300.323)

If a student transfers into the District during the school year from an out-of-state district, the District shall provide the student with a FAPE, including services comparable to the out-of-state district's IEP, in consultation with the parent/guardian, until such time as the District conducts an assessment, if the District determines that such an assessment is necessary, and develops, adopts, and implements a new IEP, if appropriate. (EC 56325; 34 CFR 300.323)

POLICY

Twin Rivers SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

Procedural Safeguards

POLICY:

In order to protect the rights of students with disabilities and their parents/guardians, the Twin Rivers SELPA shall follow all procedural safeguards as set forth in federal and state law. Children with disabilities and their parents/guardians shall receive written notice of their rights and procedural safeguards in accordance with law throughout the identification, evaluation, placement process, and the provision of a free appropriate public education (FAPE) to each child.

Reference: EC 56205(a)(6), 56301(d)(2), 56321.5, 56321.6, 56341.5, 56500-56509
20 USC 1412(a)(6), 1415
34 CFR 300.503, 300.504, 300.504, 300.530(h)

PROCEDURE

Twin Rivers SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

Procedural Safeguards

PROCEDURES:

Timing

Twin Rivers SELPA shall provide the parents/guardians of any student with disabilities a copy of the procedural safeguards available to the parents of a child with a disability once per school year and:

1. Upon initial referral or parent request for assessment.
2. The District provides prior written notice regarding its proposal or refusal to initiate or change the student's identification, assessment, educational placement, or the provision of a free appropriate public education (FAPE) to the student.
3. The student graduates from high school with a regular diploma.
4. Upon receipt of the first state complaint under EC 56500.2 in a school year.
5. Upon receipt of the first due process hearing request under EC 56502 in a school year.
6. When a decision is made to make a removal that constitutes a change of placement of an individual with exceptional needs because of a violation of a code of pupil conduct in accordance with 34 CFR 300.530(h).
7. Upon request by a parent/guardian.

Contents

The procedural safeguards notice shall include a full explanation of all of the procedural safeguards available under federal and state law, in the native language of the parents (unless it clearly is not feasible to do so) and written in an easily understandable manner, relating to:

1. Independent educational evaluation;
2. Prior written notice;
3. Parental consent;
4. Access to educational records;
5. The opportunity to present complaints and resolve complaints, including the time period in which to make a complaint and the opportunity for the District to resolve the complaint;
6. The availability of mediation;

7. The student's placement during the pendency of any due process proceedings;
8. Procedures for students who are subject to placement in an interim alternative educational setting;
9. Requirements for unilateral placement by parents/guardians of students in private schools at public expense;
10. Due process hearings, including requirements for disclosure of assessment results and recommendations;
11. State-level appeals;
12. Civil actions, including the time period in which to file those actions; and
13. Attorney's fees.

The procedural safeguards notice shall also include the rights and procedures contained in Education Code 56500-56509 including information on the procedures for requesting an informal meeting, prehearing mediation conference, mediation conference, or due process hearing; the timelines for completing each process; whether the process is optional; the type of representative who may be invited to participate.

The procedural safeguards notice shall include the right of the parent/guardian and/or the District to electronically record the proceedings of IEP meetings, and information regarding the state special schools for students who are deaf, hard of hearing, blind, visually impaired, or deaf-blind in accordance with EC (EC 56321, 56321.5, 56341.1(g))

Format of Procedural Safeguards Notice

The parents/guardians of a student with a disability shall be provided written notice of their rights in a language easily understood by the general public and in the native language or other mode of communication used by the parents/guardians, unless to do so is clearly not feasible. If the native language or other mode of communication of the parent/guardian is not a written language, the District shall take steps to ensure that:

1. The notice is translated orally or by other means to the parent/guardian in his/her native language or other mode of communication.
2. The parent/guardian understands the contents of the notice.
3. There is written evidence that items #1 and #2 have been satisfied.

A parent/guardian of a student with a disability may elect to receive the procedural safeguards notice by an electronic mail communication if the District makes that option available. (34 CFR 300.505)

The District's Special Education Procedure Manual addresses procedural safeguards in Chapter 9.

POLICY

Twin Rivers SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

Annual and Triennial Assessments

POLICY:

It shall be the policy of the Twin Rivers SELPA to develop processes to determine when an individual is eligible for special education services and shall establish systematic procedures for special education program identification, screening, referral, assessment, planning, implementation, review, and triennial assessment.

It shall be the policy of the Twin Rivers SELPA that an IEP review will be conducted on at least an annual basis to review the progress of each child with a disability. This review shall include, but is not limited to, the achievement of annual goals, the appropriateness of placement, and/or to make any necessary revisions.

A reassessment of each child with a disability will be conducted at least once every three years, or more frequently, if conditions warrant a reassessment or if the child's parent or teacher requests a reassessment and a new Individualized Education Program (IEP) to be developed.

Reference: EC 56205(a)(7), 56329, 56301-56304, 56344, 56445, 56043, 56380, 56381
20 USC 1414
34 CFR 300.301-300.311, 300.503

PROCEDURE
Twin Rivers
SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

Annual and Triennial Assessments

PROCEDURES:

Initial Assessment for Special Education Services

Before the initial provision of special education and related services to a student with a disability, the District shall conduct an initial assessment of the student in all areas of suspected disability. Written consent of the parent or guardian is obtained prior to conducting the assessment. The assessment(s) shall be conducted in compliance with federal and state law and District policies and procedures. The procedures will include that testing and evaluation materials and procedures utilized for the purposes of evaluation and placement of children with disabilities will be selected and administered so as not to be racially or culturally discriminatory. Such materials and procedures shall be provided and administered in the child's native language or mode of communication, unless it clearly is not feasible to do so, and no single procedure shall be the sole criterion for determining an appropriate educational program for a child.

Eligibility Determination

Upon completion of the assessments, an IEP team meeting will be convened to review the assessment results and to determine whether the student is a student with a disability and if so, his/her educational needs. If a determination is made that a student has a qualifying disability and needs special education and related services, an IEP shall be developed.

Annual IEP Review

An IEP meeting will be conducted on at least an annual basis to review the progress of each child with a disability. This review shall include, but is not limited to, the achievement of annual goals, the appropriateness of placement, and/or to make any necessary revisions.

Triennial Assessments and Reevaluations

A reevaluation shall be conducted when it is determined that the educational or related services needs of the student, including improved academic achievement and functional performance, warrant a reevaluation or if the student's parent/guardian or teacher requests reevaluation. Such reevaluations shall occur at least once every three years, unless the parent/guardian and the District agree in writing that a reevaluation is unnecessary. A reevaluation may not occur more than once a year, unless the parent/guardian and the District agree otherwise.

The District shall ensure that any reevaluations of the student are conducted in compliance with federal and state law and District policies and procedures.

Before entering kindergarten or first grade, children with disabilities who are in a preschool program shall be reevaluated to determine if they still need special education and services. IEP teams shall identify a means of monitoring the continued success of children who are determined to be eligible for less intensive

special education programs to ensure that gains made are not lost by too rapid a removal of individualized programs and supports for these children.

District Board Policy 6164.4 and Administrative Regulation 6164.4 also address the evaluation of individuals for special education.

The District's Special Education Procedure Manual addresses annual and triennial assessments in Chapter 4.

POLICY

Twin Rivers SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

Criteria for Independent Educational Evaluations

POLICY:

It is the policy of the Twin Rivers SELPA to inform parents of their right to obtain, at public expense, an independent educational assessment, if the parent disagrees with the assessment conducted by the LEA, or the right to obtain an assessment at any time at their own expense.

Reference: 20 USC 1415 (b)(1), (d)(1)
34 CFR 300.502, 300.504(c)
30 EC 56329(b)

PROCEDURE

Twin Rivers SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

Criteria for Independent Educational Evaluations

PROCEDURES:

Parents of a student with a disability have the right to obtain an Independent Educational Evaluation (IEE) at public expense subject to the provisions of this policy if they disagree with an evaluation completed by the District. Parents/guardians may request only one IEE in response to each evaluation completed by the District. Parents have two years to request an IEE from the date of completion of the District's evaluation.

A. Definitions

"Independent Educational Evaluation" (IEE) means an evaluation conducted by a qualified examiner who is not employed by the District.

"Public expense" means that the District either pays for the full cost of the evaluation or evaluation components or ensures that the evaluation or evaluation components are otherwise provided at no cost to the parent.

B. Consideration of Independent Educational Evaluation Requests

If parents/guardians request an IEE at the expense of the District, the parent/guardian will be asked for a reason why he or she objects to the District's evaluation. There is no requirement, however, that the parents/guardians specify areas of disagreement with the District's evaluation as a prior condition to obtaining the IEE. Unless the District chooses to initiate a due process hearing in accordance with this policy, the District must respond to the parents'/guardians' request by ensuring an IEE is provided at public expense without unreasonable delay.

If parents request an IEE, the District will, without unnecessary delay:

1. Either initiate a due process hearing to show that its evaluation is appropriate; or
2. Ensure an IEE is provided at public expense by:
 - a. Providing information to parents about where an IEE may be obtained;
 - b. Providing parents with the SELPA criteria applicable for an IEE; and
 - c. Contracting with a qualified individual to complete the IEE.

The applicable criteria for an IEE includes information about the location of the IEE, qualifications of the evaluators, the maximum cost of the IEE, and use of approved assessment instruments must be met unless there are unique circumstances to justify exceeding the District criteria. In such cases,

parents/guardians may present unique circumstances to justify exceeding the District criteria, which then must be determined and approved by the District prior to initiating the IEE.

If an IEE is at public expense, the criteria under which the evaluation is obtained, including but not limited to, the location of the evaluation, the qualifications of the examiner, and the costs of the IEE, must be the same as the criteria that the District uses when it initiates an evaluation.

If the District initiates a hearing and the final decision is that the District's evaluation is appropriate, the parents still have the right to an IEE, but not at public expense.

If the parents obtain an IEE at private expense, the results of the evaluation:

1. Must be considered by the District in any decision made with respect to the provision of free appropriate public education (FAPE) to the student; and
2. May be presented as evidence at a due process hearing regarding that student.

Procedures

The following procedures will apply to all requests for IEEs:

1. All IEEs must conform to the requirements of EC 56320 et. seq.
2. Parents/guardians of students receiving special education services, as provided by the IDEA or suspected of having a disability requiring special education services may request that the District complete an evaluation or reevaluation of their child at any time. The District will respond to such requests by initiating the special education evaluation process to review screening and performance information to determine if an evaluation or reevaluation is needed. If the District determines an evaluation is needed, one will be completed. If the District determines that an evaluation is not needed, the District will provide parents/guardians with written notice of refusal to evaluate and information regarding the procedural safeguards available to parents/guardians and students.
3. Parents/guardians may seek an IEE at public expense only when they are in disagreement with an evaluation completed by the District. The parents/guardians must request an IEE within two (2) calendar years of the date of completion of the District's evaluation. If parents/guardians request an IEE at public expense, the Executive Director, Special Education/SELPA will be notified.
4. Parents/guardians may be asked for a reason why he or she objects to the District's evaluation. There is no requirement, however that the parents/guardians specify areas of disagreement with the District's evaluation as a prior condition to an IEE at public expense.
5. In response to a request for an IEE, the District will without unnecessary delay either:
 - a. Initiate a due process hearing to show that its evaluation is appropriate; or
 - b. Ensure an IEE is provided at public expense by:
 - i. Providing information to parents about where an IEE may be obtained;
 - ii. Providing parents with the SELPA criteria applicable for IEE; and
 - iii. Contracting with a qualified individual to complete the IEE.

If the final decision from the due process hearing is that the evaluation completed by the District was appropriate, the District is not required to fund the IEE; however, parents/guardians maintain the right for an IEE, but not at public expense.

6. Parents/guardians are not required to notify the District that they are obtaining an IEE. However, if parents/guardians obtain an IEE and the District demonstrates through a due process hearing that the evaluation completed by the District was appropriate or that the parents'/guardians' evaluation did not meet District criteria, the parents/guardians will not be reimbursed the cost of the IEE.
7. Before the District proceeds with consideration of the request for the IEE, the District criteria for the locations of the evaluator(s), the minimum qualifications of the evaluator(s), the costs of the evaluation, and use of approved assessment instruments must be met. Alternatively, parents/guardians may present the District with unique circumstances to justify exceeding the District criteria, which then must be determined and approved by the District prior to considering payment of the IEE.
8. If the District agrees to fund an IEE, an assessment plan will not be developed. Rather, parents/guardians will be required to sign consent to releases of information between the independent evaluator(s) and the District. Thereafter, the District will arrange for the completion of the IEE. The IEE(s) completed will comply with all required criteria listed above.
9. As part of the contracted IEE, independent evaluators must agree to release their assessment information including protocols and results directly to the District prior to the receipt of payment for services. Upon request, the IEE report shall be provided to the District at least 5 days prior to the IEP meeting. The District shall receive the report no later than the same date the parent/guardian receives the report. The results of the IEE will be considered in making educational decisions as required by the Individuals with Disabilities Education Improvement Act.
10. The independent evaluator must review all relevant educational records.
11. Unless otherwise determined by the members of the child's IEP team, the independent evaluator must either: a) observe the child in one or more educational settings; or b) make at least one contact with the child's general education teacher for the purpose of determining how the student is progressing in the general curriculum. In addition, independent evaluators are encouraged to make additional contacts with other involved general and special education teachers and related service providers.
12. The independent evaluator must be permitted to directly communicate and share information with members of the IEP team, the District's Executive Director, Special Education/SELPA, and the Executive Director's designees. The independent evaluator must also release the assessments and results, including any parent/guardian and teacher questionnaires, to members of the IEP team, the District's Executive Director, Special Education/SELPA, and the Executive Director's designees.
13. The District shall be entitled to inspect and obtain copies of the independent evaluator's records as noted in #9 above, including any records created by third parties. However, those records will not be deemed accessible to District personnel other than on a "need to know" basis, unless and until the District exercises its right to share copies of those records in a legal proceeding.

14. An IEE shall be performed within a geographical radius not to exceed 100 miles.
15. Costs funded by the District for an IEE are limited to: observations, record review, administration and scoring of tests, report writing, and attendance in person or by phone at an IEP meeting. The District will not fund travel expenses.

Minimum Qualifications for Evaluators

Evaluators with credentials other than those listed below will not be approved. However, parents/guardians may present the District with unique circumstances to justify exceeding the District criteria, which then must be determined and approved by the District prior to funding the IEE.

| Type of Assessment | Qualifications |
|---|--|
| Academic Achievement | Credentialed Special Education Teacher School Psychologist Licensed Educational Psychologist |
| Adaptive Behavior | Credentialed Special Education Teacher School Psychologist Licensed Psychologist Licensed Educational Psychologist Board Certified Behavior Analyst (BCBA) |
| Assistive Technology | Credentialed or Licensed Speech-Language Pathologist Certified Assistive Technology Specialist Credentialed Special Education Teacher Occupational Therapist |
| Auditory Acuity | Licensed or Credentialed Audiologist |
| Auditory Perception (Central Auditory Processing) | Licensed or Credentialed Audiologist Licensed or Credentialed Speech-Language Pathologist School Psychologist |
| Behavioral | Credentialed Special Education Teacher School Psychologist |

| | |
|------------------------------------|--|
| | Licensed Educational Psychologist Licensed Psychologist Board Certified Behavior Analyst |
| Cognitive | School Psychologist Licensed Psychologist Licensed Educational Psychologist |
| Health | Certified School Nurse Licensed Physician |
| Motor | School Psychologist Licensed Physical Therapist Registered Occupational Therapist Credentialed Teacher of the Orthopedically Impaired Credentialed Adapted Physical Education Teacher Credentialed Teacher of Early Childhood Education |
| Occupational Therapy | Licensed Occupational Therapist |
| Physical Therapy | Licensed Physical Therapist |
| Speech and Language | Credentialed or Licensed Speech-Language Pathologist |
| Social/Emotional | School Psychologist Licensed Educational Psychologist Licensed Psychologist |
| Visual Acuity/Developmental Vision | Ophthalmologist or Optometrist |
| Functional Vision | Credentialed Teacher of the Visually Impaired |
| Vision Perception | Credentialed Teacher of the Visually Impaired School Psychologist Licensed Educational Psychologist |

| | |
|------------|--|
| | Ophthalmologist or Optometrist |
| Transition | Credentialed Special Education Teacher School Psychologist Licensed Educational Psychologist |

Cost limitations for Evaluations

The cost of an IEE shall be comparable to those costs that the District incurs when it uses its own employees or the current market rates. Costs include: observations, record review, administration and scoring of tests, report writing, and attendance in person or by phone at an IEP meeting. Reimbursement will be in an amount no greater than the actual cost to the parent/guardian and will be subject to proof of payment. The cost limitations for each type of assessment will be available on the District's website and will be updated at least once every year.

Costs above the cost limitations will not be approved unless the parent/guardian can demonstrate that such costs reflect a reasonable and customary rate for such evaluative services, or if the parents/guardians present the District with unique circumstances to justify exceeding the District criteria, which then must be determined and approved by the District prior to considering payment of the IEE.

The cost limitations will be attached as Appendix G.

POLICY

**Twin Rivers
SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)**

Nonpublic, Nonsectarian School and Agency Services and Monitoring

POLICY:

It shall be the policy of Twin Rivers SELPA to provide students with disabilities with services from a nonpublic, nonsectarian school (NPS) or nonpublic, nonsectarian agency (NPA) certified by the California Department of Education as needed when an appropriate public education program is not available.

Reference: EC 56034-56035, 56042, 56101, 56168, 56195.8, 56205(c), 56360-56361, 56365-56366.12

PROCEDURES

Twin Rivers SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

Nonpublic, Nonsectarian School and Agency Services and Monitoring

PROCEDURES:

Contracting with a CDE-certified NPS or NPA

The Twin Rivers SELPA shall develop a master contract for use with nonpublic, nonsectarian schools and agencies (NPS and NPA respectively) to provide special education and related services to eligible students with exceptional needs when an appropriate public education program is not available. All master contracts shall be developed in accordance to EC 56365 and 56366.

The contracting process by the District with an NPS or NPA shall also include an individual services agreement for each student being served by the NPS or NPA.

The District shall consider the needs of the individual student and the recommendations of the IEP team when entering into agreements with any NPS or NPA. Individual services agreements shall be for the length of time for which an NPS or NPA is specified as the service provider in the student's individualized education program (IEP), not to exceed one year.

Monitoring of an NPS and NPA

The master contract the District enters into with an NPS or NPA shall include a description of the process being utilized by the District to oversee and evaluate placements in an NPS or NPA, which shall include a method for evaluating whether the student is making appropriate educational progress.

The District will ensure that a student's IEP team annually reviews the IEP of a student placed in an NPS or NPA. At each annual IEP meeting for a student receiving services from an NPS or NPA, the IEP team shall include a representative of the District, and the NPS or NPA shall provide documentation as to the student's progress towards annual goals and objectives. The annual data provided by the NPS or NPA shall be authentic, curriculum-based measurements, in accordance with state-adopted grade level standards. The IEP team shall remain accountable for monitoring the progress of students placed in an NPS or NPA, and ensure that such programs work towards the goals identified in each student's IEP.

At least once every year, the District shall do the following as part of an IEP meeting for a student provided with special education and/or related services from an NPS or NPA:

- A. Evaluate the educational progress of each student placed in an NPS or NPA, including all state assessments.
- B. Consider whether the needs of the student continue to be best met at the NPS or NPA and whether the student should be transitioned to a public school setting.

The SELPA may choose to administer additional assessments as necessary, with parent consent, to determine whether the pupil is making appropriate educational progress. In addition, an IEP/IFSP review may also be requested at any time to review student progress.

Ensuring Monitoring Requirements are met for NPS/NPA Staffing

The District shall evaluate the NPS and NPA staffing qualifications and staffing levels required as set forth in the Master Contract at least on an annual basis, as part of the renewal of the Master Contract process, and also when new staff are added. The District shall review and document these monitoring efforts to ensure that all services agreed upon and specified in the IEP are provided by highly qualified staff.

Out-of-State Placements

Before contracting with an NPS or NPA outside California, the District shall document its efforts to find an appropriate program offered by an NPS and/or NPA within California.

Within 15 days of any decision for an out-of-state placement, the student's IEP team shall submit to the Superintendent of Public Instruction a report with information about the services provided by the out-of-state program, the related costs, and the District's efforts to locate an appropriate public school or NPS and/or NPA within California.

If the District decides to place a student with a NPS or NPA outside the state, the District shall indicate the anticipated date of the student's return to a placement within California and shall document efforts during the previous year to return the student to California.

POLICY

Twin Rivers SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

Interagency Coordination with Other Agencies

POLICY:

It shall be the policy of the Twin Rivers SELPA that interagency agreements and other means for interagency coordination are in effect to ensure services required for free appropriate public education (FAPE) are provided, including the continuation of services during an interagency dispute resolution process.

Reference: EC 56195.8(j)(1), 56205(b)(5)
20 USC 1412(a)(12), 1413 (a)(1)

PROCEDURE

Twin Rivers SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

Interagency Coordination with Other Agencies

PROCEDURES:

Provision of Services to Twin Rivers SELPA Students from Other Agencies

The Twin Rivers SELPA is responsible for obtaining all services and service providers needed as outlined in the Individualized Education Program (IEP) or Individualized Family Service Plan (IFSP) for every eligible student physically residing within the geographic boundaries of the District or attending District programs under other authorization (such as students attending through an interdistrict transfer or attending a charter school provided with special education by the District).

The District Board shall coordinate and collaborate with regional service providers for special education and related services, as needed, to ensure that the needs of students within the Twin Rivers SELPA are met.

Existing Interagency Agreements for Services from Other Agencies

The Twin Rivers SELPA has interagency agreements with the Sacramento County Office of Education (SCOE), California Children's Services (CCS), Alta California Regional Center (ACRC), and San Juan Unified School District (SJUSD). The current interagency agreement with SCOE is for SCOE to provide infant/toddler program services, K-6 emotional disturbed program services to students who meet eligibility criteria, and community day schools. The current interagency agreement with CCS is for CCS to provide occupational therapy and physical therapy to students who meet eligibility criteria and it is medically necessary. The current interagency agreement with ACRC is for ACRC to provide various support services to eligible consumers based on an application process. The current interagency agreement with SJUSD is for SJUSD to provide placement and services to students who are deaf or hard of hearing.

The Twin Rivers SELPA will participate with the other SELPAs in Sacramento County in an agreement regarding parentally placed private school students with disabilities who reside and attend a private school within Sacramento County.

Copies of the interagency agreements with SCOE, CCS, ACRC, and SJUSD are in Appendix C.

Assurance of Services When Another Agency Fails to Provide Related Services

The Twin Rivers SELPA shall monitor the statutory timelines to ensure all services, whether directly provided by the District or through an interagency agreement, are provided without delay.

When another agency providing a service through an interagency agreement fails to provide the service listed on a student's IEP/IFSP, the Twin Rivers SELPA will provide the service in accordance with the student's IEP/IFSP, unless otherwise provided by law, without a disruption in service, and at no cost to the

parent/guardian. The Twin Rivers SELPA would then have the option of seeking reimbursement from the agency as specified in the interagency agreement or other interagency dispute resolution process.

Provision of Services by the District to Students Outside the Twin Rivers SELPA

In addition to providing a broad range of programs and services to its own students, the Twin Rivers SELPA may also provide services to students outside of the Twin Rivers SELPA by entering into an interagency agreement with the student's responsible local educational agency (such as a school district, county office of education, SELPA, or charter school).

POLICY

**TWIN RIVERS
SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)**

Positive Behavioral Intervention for Special Education Students

POLICY:

It shall be the policy of the Twin Rivers SELPA to follow behavioral intervention requirements according to both Education Code and Title 5 regulations, believing that all students have a right to a safe and secure learning environment. When behavioral interventions are used, they are used in consideration of the student's physical freedom and social interaction, and are administered in a manner that respects human dignity and personal privacy.

Behavioral interventions will be developed collaboratively and will be minimally intrusive and efficient in terms of time, labor and complexity. Interventions will focus on prevention and teaching appropriate behavior to replace maladaptive behavior.

Reference: EC 56520–56524
5 CCR 3051.23

PROCEDURE 6159.4

TWIN RIVERS SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

Positive Behavioral Intervention for Special Education Students

PROCEDURES:

The Twin Rivers SELPA will follow the behavioral interventions as set forth in the Twin Rivers Special Education Procedure Manual and as outlined by the District PBIS and Safety Committees. The manual includes forms, procedures, flow charts, strategies, legal references, and other support documents to guide staff through the behavioral intervention requirements.

The Twin Rivers SELPA approved ProACT as the training program addressing crisis management. The SELPA shall provide ongoing staff training in the area of crisis management on an annual basis and maintain a list of those trained and recertification dates.

The SELPA shall provide training opportunities for all new behavior support staff as well as on-going training for continuing staff to expand their behavior intervention strategies and skills to support students.

Behavior Intervention

A special education student's behavior shall be subject to the disciplinary measures applicable to all students for such infractions. (EC 48915.2)

The District will ensure children with exceptional needs exhibiting serious behavioral challenges receive timely and appropriate assessments and positive supports and interventions in accordance with federal and state law. Assessments and positive behavioral interventions and supports will be developed and implemented as appropriate and necessary. When behavioral interventions, supports, and other strategies are used, they will be used in consideration of the student's physical freedom and social interaction, be administered in a manner that respects human dignity and personal privacy, and that ensure a student's right to placement in the least restrictive educational environment. Adequately trained staff will be available to work effectively with the behavioral intervention needs of individuals with exceptional needs.

The District shall ensure that the IEP team for an individual with exceptional needs considers the use of positive behavioral interventions and supports, and other strategies, to address behavior that is determined to impede the child's learning or that of others.

Emergency Interventions

Emergency interventions not specified in a student's behavioral intervention plan shall be used only when necessary to control unpredictable, spontaneous behavior which poses clear and present danger of serious physical harm to the student or others and which cannot be immediately prevented by a response less restrictive than the temporary application of a technique used to contain the behavior. Emergency interventions shall not be used as a substitute for systematic behavioral intervention plans.

No emergency intervention shall be used for longer than is necessary to contain the behavior. Upon prolonged use of an emergency intervention, staff shall seek assistance of the principal or law enforcement agency, as applicable to the situation.

Parents/guardians shall be notified within one school day if an emergency intervention is used or serious property damage occurs. A behavioral emergency report shall immediately be completed, kept in the student's file, and forwarded to the Superintendent or designee for review. This report shall include:

1. The name and age of the student
2. The setting and location of the incident
3. The name of the staff or other persons involved
4. A description of the incident and the emergency intervention used
5. A statement of whether the student is currently engaged in a systematic behavioral intervention plan
6. Details of any injuries sustained by the student or others, including staff, as a result of the incident

If the behavior emergency report is for an individual with exceptional needs who does not have a behavioral intervention plan, the Superintendent or designee shall, within two days, schedule an IEP team meeting to review the emergency report, determine the necessity for a functional behavioral assessment, and determine the necessity for an interim plan. The IEP team shall document the reasons for not conducting the functional behavioral assessment and/or not developing an interim plan.

If the behavior emergency report is for an individual with exceptional needs who has a positive behavioral intervention plan, any incident involving a previously unseen serious behavior problem, or where a previously designed intervention is not effective, shall be referred to the IEP team. The IEP team shall review the incident and determine whether the student's positive behavioral intervention plan needs to be modified.

Prohibited Interventions

The District prohibits any use of the following:

1. Locked seclusion, unless in a facility otherwise licensed or permitted by law to use a locked room.
2. Employment of a device, material, or objects that simultaneously immobilize all four extremities, except that techniques such as prone containment may be used as an emergency intervention by staff trained in those procedures.
3. An amount of force exceeding what is reasonable and necessary under the circumstances.

4. Any intervention designed or likely to cause physical pain, including but limited to, electric shock.
5. Any intervention that involves the release of noxious, toxic or otherwise unpleasant sprays, mists or substances near the student's face.
6. Any intervention that denies adequate sleep, food, water, shelter, bedding, physical comfort or access to the bathroom.
7. Any intervention that is designed to subject, used to subject, or likely to subject, the student to verbal abuse, ridicule, humiliation or that can be expected to cause excessive emotional trauma.
8. Any intervention that precludes adequate supervision of the student.
9. Any intervention that deprives the student of one or more of his/her senses.

The District's Special Education Procedure Manual addresses positive behavioral supports in Chapter 11.

POLICY

**Twin Rivers
SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)**

Participation In State/District-Wide Assessments

POLICY:

It is the policy of the Twin Rivers SELPA that the primary goal of student assessments should be to help students, parents/guardians and teachers identify individual student's academic accomplishments, progress and areas needing improvement in order to enhance teaching and learning.

The Superintendent or designee shall ensure that assessments are conducted for purposes of determining students' eligibility for and appropriate placement in District programs, need for supplemental instruction and eligibility for graduation.

It shall be the policy of the SELPA that students with disabilities are included in general state and District-wide assessment programs with appropriate accommodations, where necessary and as indicated in the respective student's IEP. For those children with disabilities who cannot participate, alternate assessment will be conducted in accordance with state guidelines and as indicated in the respective student's IEP.

Reference: EC 56205(a)(15)
20 USC 1412(a)(16)

PROCEDURE

Twin Rivers SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

Participation in State/District-Wide Assessments

PROCEDURES:

Twin Rivers Unified School District site and program staff will be responsible for the inclusion of the students they serve in the state-wide assessment program, which extends to the preschool program. All needed accommodations and modifications will be documented through the Individualized Education Program (IEP) process and in line with the testing guidelines set forth by the State.

District Board Policies 6161.5 and 6162.5 and Administrative Regulation 6162.51 also address the administration of State and District-wide assessments.

The District's Special Education Procedure Manual addresses statewide and District assessments in Chapter 15.

POLICY

**Twin Rivers
SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)**

Dispute Resolution Process

POLICY:

It shall be the policy of the Twin Rivers SELPA to utilize alternative dispute resolution processes in an effort to effectively and positively resolve any conflicts or disputes.

Reference: EC 56205(b)(5)

PROCEDURE
Twin Rivers
SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

Dispute Resolution Process

PROCEDURES:

Following is a summary of the alternative dispute resolution process utilized by the Twin Rivers SELPA for special education disputes.

1. **Introduction:** Informal conversation often resolves conflict and helps maintain open communication and positive relationships. Disagreement is normal and a natural part of life; however, it is how it is approached and dealt with that determines everyone's level of comfort with decisions made.
2. **Alternative Dispute Resolution Overview:** Communication between home and school is an important factor in the development of a child's educational program. In this regard, the District has embraced the concept of Alternative Dispute Resolution to encourage conflict resolution through continued home/school communication, before either party seeks more formal intervention. The District will encourage parents to resolve conflicts first at the School Site level, then the District/SELPA Level, before parent files with the California Department of Education (CDE) or Office of Administrative Hearings (OAH). *Nothing in this Policy/Procedures shall be construed to mean that a parent and/or District must first exhaust these ADR interventions before filing a complaint with CDE or OAH. If at any time a conflict with special education arises, parents and/or the District have a right to seek formal intervention.*
3. **Hierarchy of Local Conflict Resolution Contacts (See Attachment)**
 - a. ***School Site Level:*** Parents concerned about their child's education are encouraged to first contact the child's teacher, school psychologist and/or school principal to discuss their concerns.
 - b. ***District/SELPA Level I:*** If an issue is not resolved at the School Site level, parents are encouraged to contact the District's Program Specialist or Coordinator, Special Education to discuss their continued concern.
 - c. ***District/SELPA Level II:*** If an issue is not resolved at the School Site and Program Specialist/Coordinator levels, parents are encouraged to contact the Executive Director, Special Education/SELPA to facilitate finding the option that best fits the need at the time.
4. **Local Alternative Dispute Resolution (ADR) Options:** ADR is a cost-free process for resolving conflicts, and one that respects the dignity of individuals while creating mutually satisfying solutions. ADR resolves disagreements and conflicts by focusing on communication, collaboration, negotiation, and mediation to achieve agreements that meet the interests of all the parties involved. ADR provides a variety of options for the District and parents seeking to work toward a resolution at the local level.

- a. ***Collaborative IEP Process:*** The District has administrators and teachers trained in the Collaborative IEP Process – this is a process where an agreement is reached at each point in the IEP before moving on. Often parents and the District find they agree on many more things than they disagree, and can build on those areas to reach a compromise.
- b. ***Facilitated IEP:*** The District/SELPA can help locate a trained IEP Facilitator to help an IEP team build and improve relationships among IEP team members. This Facilitator is a neutral party that clarifies the agenda and meeting outcomes, enforces working agreements, keeps the group focused on the IEP process, encourages problem solving, monitors time and encourages participation by all team members. The goal is to achieve a signed IEP that all team members feel represents all the issues needed to educate a student.
- c. ***Local Mediation:*** Parents and the District will be able to participate in a cost-free, impartial local mediation when desired. Local mediation uses an effective problem-solving method through a Mediator who will discuss possible solutions and develop agreements that are mutually acceptable to both parties. It is a safe, low-pressure process. Final decisions will be committed to writing in a Settlement Agreement.

POLICY

Twin Rivers SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

Child Find and Referral

POLICY:

It is the policy of the Twin Rivers SELPA to actively seek out and evaluate all students with exceptional needs, regardless of the severity of their disabilities, from birth to 21 years of age, residing within its jurisdiction or attending private schools located within its jurisdiction in order to provide them with appropriate educational opportunities in accordance with state and federal law.

This obligation extends to all children with disabilities residing in the state, including children with disabilities who are homeless children or are wards of the state; highly mobile individuals, including migrant children, and children who are suspected of being an individual with exceptional needs; children for whom English is not a primary language; students with low incidence disabilities; and children with disabilities attending private, including religious, elementary and secondary schools, regardless of the severity of their disabilities; children who are suspected of having a disability and eligible for special education even though they are advancing from grade to grade; and who are in need of special education and related services.

Processes shall be developed to determine when an individual is eligible for special education services and shall establish systematic procedures for identification, screening, referral, and assessment.

Parents/guardians will be notified in writing of their rights related to identification, referral, assessment, instructional planning, implementation, and review, including the District's procedures for initiating a referral for assessment to identify individuals who need special education services.

A student shall be referred for special education and related services only after the resources of the general education program have been considered and, where appropriate, utilized.

Reference: EC 56205(a)(3), 56205(b)(7), 56301, 56303, 56171
20 USC 1412(a)(3)
34 CFR 300.111, 300.131

PROCEDURE

Twin Rivers SPECIAL EDUCATION LOCAL PLAN (SELPA)

Child Find and Referral

PROCEDURES:

The Twin Rivers SELPA carries out a variety of activities to ensure that all individuals with disabilities residing within its jurisdiction or attending private schools located within its jurisdiction are located, identified, 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 SELPA as required by statute.

The Twin Rivers Unified School District works closely with public agencies such as Alta California Regional Center, Head Start, California Children's Services, and others as appropriate in the identification of individuals with disabilities. Information regarding services for children with disabilities is disseminated through local media on an annual basis and materials are also distributed to pediatricians, health care professionals, and other agencies within the District.

The District has a continuous child find system that addresses the relationships among identification, screening, referral, assessment, planning, implementation, review, and the triennial assessment.

The District's annual notice to all parents includes notice of their rights under federal and state law, and the procedure for initiating a referral for assessment to identify individuals with exceptional needs.

The District will make training available to all District and site level administrators on referral procedures, including the need for a written referral request.

- A. If a parent/guardian makes a verbal request for special education assessment, the public school employee responsible for receiving referrals will inform of the need for the request to be in writing and that they can assist the parent/guardian, if necessary, to make a written request. The public school employee will provide the parent/guardian with assistance, as needed, in completing the written request.
- B. If a parent/guardian, 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/guardian of the need to make a written request through the use of an interpreter or by providing the parent/guardian with written information in the parent/guardian's primary language. The public school employee will provide the parent/guardian with assistance, as needed, in completing the written request.

A student shall be referred for special educational instruction and services only after the resources of the regular education program have been considered and used where appropriate.

All referrals from school staff for special education and related services shall include a brief reason for the referral and description of the regular program resources that were considered and/or modified for use with the student and their effect.

The child find procedures for parentally placed private school students are addressed in the Policy and Procedure titled, "Serving Children Parentally Placed in Private Schools."

District Board Policy 6164.4 and Administrative Regulation 6164.4 also address the identification and evaluation of individuals for special education.

The District's Special Education Procedure Manual addresses child find and referral in Chapters 2 and 3.

POLICY

**Twin Rivers
SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)**

Serving Children Parentally Placed in Private Schools

POLICY:

It shall be the policy of the Twin Rivers SELPA to comply with its obligations under federal and state law to identify and provide equitable services to eligible individuals with exceptional needs voluntarily enrolled by their parents/guardians in private schools located within the District boundaries.

The District shall ensure that activities to locate, identify, and evaluate children with disabilities enrolled by their parents/guardians in private schools within the District boundaries are comparable to activities undertaken for individuals with disabilities aged three to 22 in public schools within the District.

The District shall develop a budget for the provision of services to eligible children with disabilities enrolled by their parents in private school based on the proportionate share of federal funds received and the number of eligible children, including the possibility of mid-year enrollees, and the types of services to be provided

Reference: EC 56000, 56205(a)(10), 56170-56177
20 USC 1412(a)(10)
34 CFR 300.130-144, Appendix B to Part 300 Proportionate Share Calculation

PROCEDURE

Twin Rivers SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

Serving Children Parentally Placed in Private Schools

PROCEDURES:

Definitions

"Parentally placed private school children with disabilities" means children with disabilities who are voluntarily enrolled by their parents/guardians in a private school or facility within the District boundaries, including children who are attending a private school or facility within District boundaries but who reside in another school district or state. (34 CFR 300.131) Parentally placed private school children with disabilities do not include students enrolled in a nonpublic school through their IEP, District school, charter school, or alternative education program.

"Private school or facility" means a private full-time day school, including a religious school, located within district boundaries, that has filed an affidavit with the California Department of Education pursuant to Education Code 33190, is registered in the California Private School Directory, and meets the definition of an elementary school as defined in 34 CFR 300.13 or a secondary school as defined in 34 CFR 300.26.

Consultation with Private School Representatives

The District shall consult with private school representatives and representatives of parents/guardians of parentally placed private school children with disabilities during the design and development of equitable services for the children. In order to ensure a meaningful and timely consultation, the consultation shall include (20 USC 1412(a)(10); 34 CFR 300.134; EC 56172(b)):

1. The child find process and how parentally placed private school children suspected of having a disability can participate equitably;
2. How parents/guardians, teachers, and private school officials will be informed of the child find process;
3. The determination of the proportionate share of federal funds available to serve parentally placed private school children with disabilities and how this share is calculated;
4. How the consultation process will operate throughout the school year to ensure that identified children can meaningfully participate in equitable services;
5. How, where, and by whom equitable services will be provided including a discussion about the types of services, alternate service delivery mechanisms, how services will be apportioned if funds are insufficient to serve all of the identified children, and how and when those decisions will be made; and

6. In the event that the District and private school disagree on the provision of or the types of services, how the District will provide the private school officials with a written explanation of the reasons that the District chose to not provide the services.

When meaningful and timely consultation has occurred, the District shall obtain a written affirmation signed by the representatives of participating private schools. If the private school representatives do not provide the affirmation within a reasonable period of time, the District shall forward documentation of the consultation process to the California Department of Education. (20 USC 1412(a)(10)(A), 34 CFR 300.135; EC 56172(c))

After the consultation has occurred, the District shall ensure an annual count of the number of parentally placed children with disabilities attending private schools located within the District. This count shall be conducted between October 1 and December 1 each year and shall be used to determine the amount the District must spend on providing equitable services to the children in the subsequent fiscal year. (34 CFR 300.133)

Provision of Equitable Services

A child with a disability parentally placed in a private school has no individual right to receive some or all of the special education and related services that he/she would receive if enrolled in public school. Such a child may receive a different amount of services than students with disabilities in public schools. (34 CFR 300.137, 300.138)

The SELPAs in Sacramento County have an agreement regarding parentally placed private school students with disabilities who reside and attend a private school within Sacramento County. The Twin Rivers SELPA will participate in the agreement. As a result, the Twin Rivers SELPA has two processes for parentally placed private school students with disabilities depending on whether the students reside and attend a private school within the boundaries of Sacramento County. Process One applies to students governed by the agreement between the SELPAs in Sacramento County. Process Two applies to parentally placed private school students with disabilities who reside outside of Sacramento County and attend a private school within the boundaries of the Twin Rivers Unified School District.

A. Process One

The following process applies to parentally placed private school students with disabilities who reside and attend a private school within Sacramento County:

1. The student's school district of residence will assess parentally placed private school students referred for an assessment. As such, the District will assess parentally placed private school students who reside in the District and attend a private school within Sacramento County.
2. Following the assessment, the student's school district of residence will offer a FAPE if the student is eligible for special education and related services. As such, the District will offer a FAPE to parentally placed private school students who reside in the District and attend a private school within Sacramento County.

3. If the parentally placed private school student's parent/guardian consents to the offer of FAPE, then the student will be enrolled in their school district of residence.
4. If the parentally placed private school student's parent/guardian chooses to keep the student in the private school setting, then the school district in which the private school is located develops an Individual Service Plan (ISP) to provide the student with a "proportionate" amount of special education service and implements the ISP. The proportion is equal to the proportion of eligible private school students receiving special education compared with the proportion of total public school students receiving special education, divided into federal special education funding.

As such, the District will develop and implement an ISP to provide a proportional service to parentally placed private school students who reside in Sacramento County and attend a private school within the District's boundaries. The ISP shall be developed, reviewed, and revised consistent with 34 CFR 300.121-300.324. A representative of the private school shall be invited to attend each ISP team meeting. If the representative cannot attend the meeting, the District shall use other methods to ensure the representative's participation, including individual or conference calls.

5. Services are provided on public school grounds, usually at a public school near the private school or at the student's neighborhood school if the student resides in the same district as the private school is located. Round trip transportation from the private school to the school that provides the services can be provided by the cost of transportation that is included in the proportionate amount of service.
6. Parentally placed private school students do not have an IEP document (because they declined the offer of FAPE) and instead they have an Individual Service Plan (ISP) that reflects the proportionate services to be provided. The ISP is reviewed annually and a complete triennial review is due every three years.
7. The District will develop and send either a letter or prior written notice to the parent/guardian of each parentally placed private school student with an ISP who resides within the District reminding them that their student is eligible for a full FAPE if enrolled in the public school district of residence.

B. Process Two

The following process applies to parentally placed private school students with disabilities who reside outside of Sacramento County and attend a private school within the boundaries of the District:

1. The District will assess all identified parentally placed private school children who are referred for an assessment and who reside outside of Sacramento County and attend a private school within the District for purposes of considering them for equitable services.
2. The District and the school district of residence will work together to ensure that the student's parent/guardian receives an offer of FAPE in accordance with law, including but

not limited to obtaining consent from the parent/guardian for the districts to exchange information regarding the student.

3. The District shall develop and implement an individual services plan ("ISP") for eligible parentally placed private school children with disabilities who attend private schools within the District. The ISP describes the equitable special education and related services that the District will provide to the child, in light of the services the District has determined it will make available to parentally placed private school children with disabilities through the consultation process with the District and private school representatives.
4. The ISP shall be developed, reviewed, and revised consistent with 34 CFR 300.121-300.324. A representative of the private school shall be invited to attend each ISP team meeting. If the representative cannot attend the meeting, the District shall use other methods to ensure the representative's participation, including individual or conference calls.
5. Services are provided on public school grounds, usually at a public school near the private school. Round trip transportation from the private school to the school that provides the services can be provided by the cost of transportation is included in the proportionate amount of service.
6. Parentally placed private school students do not have an IEP document (because they declined the offer of FAPE) and instead they have an Individual Service Plan (ISP) that reflects the proportionate services to be provided. The ISP is reviewed annually and a complete triennial review is due every three years.
7. The District will develop and send either a letter or prior written notice to the parent/guardian of each parentally placed private school student with an ISP who resides within the District reminding them that their student is eligible for a full FAPE if enrolled in the public school district of residence.

District Board Policy 6164.41 and Administrative Regulation 6164.41 also address parentally placed private school students.

The District's Special Education Procedure Manual addresses private school students in Chapter 13.

POLICY

**Twin Rivers
SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)**

Services to Students in Hospitals, Foster Family Homes, Licensed Children's Institution, or Who Are Homeless

POLICY:

It shall be the policy of the Twin Rivers SELPA to provide special education and related services to individuals with exceptional needs who are in a hospital, foster family home, Licensed Children's Institution (LCI), or who are homeless within the District's boundaries.

Reference: 42 USC 11431 et seq.
EC 48850 et seq., 56155 et seq., 56167 et seq.

PROCEDURE

Twin Rivers SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

Services to Students in Hospitals, Foster Family Homes, Licensed Children's Institutions, or Who Are Homeless

PROCEDURES:

The Twin Rivers SELPA is responsible for child find activities and for implementing the Individual Education Programs (IEPs) for eligible individuals with exceptional needs in hospitals within the Twin Rivers Unified School District's geographic boundaries, foster family homes within the District's geographic boundaries, LCI within the District's geographic boundaries, or who are homeless.

The District will meet the needs of eligible students who are in hospitals in accordance with federal and state laws and District Board Policies and Administrative Regulations.

The District will meet the needs of eligible students who are in foster family homes within the District's geographic boundaries in accordance with federal and state laws and District Board Policies and Administrative Regulations.

The District will meet the needs of eligible students who are in LCIs within the District's geographic boundaries in accordance with state laws and District Board Policies and Administrative Regulations.

The District will meet the needs of eligible students who are homeless in accordance with federal and state laws and District Board Policies and Administrative Regulations.

POLICY

**Twin Rivers
SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)**

Provision of Special Education Services to Students Enrolled in Charter Schools

POLICY:

It shall be the policy of the Twin Rivers SELPA that eligible individuals with exceptional needs enrolled in charter schools that receive special education services from the District shall be served in the same manner as eligible individuals with exceptional needs enrolled in other schools within the District.

Reference: EC 56145 et seq., 56207.5

PROCEDURE

Twin Rivers SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

Provision of Special Education Services to Students Enrolled in Charter Schools

PROCEDURES:

Applicability:

This policy applies to any charter school that is chartered by the Twin Rivers Unified School District and any charter school whose petition was granted by the State Board of Education (SBE) in which oversight responsibilities were assigned to Twin Rivers Unified School District. (Education Code 47605.8) This policy does not apply to a charter school that is a local educational agency (LEA) member of another SELPA.

SELPA Participation with Approval and Renewal of Charter Schools:

Prior to approval of a new charter, or renewal of an existing charter, the District Superintendent or designee shall consult with the Executive Director, Special Education/SELPA regarding the status of the charter school to ensure that all eligible students will receive appropriate special education and related services in accordance with federal and state laws and the Local Plan.

Categories of Charter Schools for Purposes of the Provision of Special Education Services:

For the purposes of provision of special education services, charter schools in a SELPA are deemed either an LEA or a public school of the District.

A. Charter School Deemed a Public School within a School District

Charter schools that are deemed to be public schools within a school district will participate in the SELPA and access state and federal funding in the same manner as other public schools within the District. The District will ensure that all eligible individuals with exceptional needs enrolled in the charter school receive special education and related services in a manner that is consistent with all applicable provisions of state and federal laws.

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

B. Charter School Deemed an LEA within a SELPA

A charter school may apply to become an LEA member of the SELPA for the provision of special education services. A request by a charter school to participate as an LEA in the SELPA may not be treated differently from a similar request made by a school district. In reviewing and approving a request by a charter school to participate as an LEA in the SELPA for special education purposes, the

following requirements apply pursuant to Education Code 56207.5 and applicable District Board Policies.

1. The SELPA shall fully comply with Section 56140.
2. The charter school shall participate in state and federal funding for special education, and the allocation plan developed pursuant to Education Code requirements in the same manner as the District in the SELPA. (See EC 56195.7(i), 56836.05)
3. The charter school shall participate in governance of the SELPA in the same manner as the District.

The Twin Rivers SELPA is specifically established as a single-district SELPA, and will review requests by other school districts and charter schools to participate as an LEA in the SELPA in a similar manner.