

SELPA

Compton SELPA

Fiscal Year

2020-21

LOCAL PLAN

Section B: Governance and Administration

SPECIAL EDUCATION LOCAL PLAN AREA



California Department of Education

Special Education Division

January 2020

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B. Governance and Administration

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

Participating Local Educational Agencies

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

Special Education Local Plan Area—Local Plan Requirements

1. Describe the geographic service area covered by the local plan:

Compton Unified is a single SELPA located in the South Central region of Los Angeles County. CUSD encompasses the city of Compton and portions of the cities of Carson and Los Angeles.

2. Describe the SELPA regional governance and administrative structure of the local plan. Clearly define the roles and structure of a multi-LEA governing body, or single LEA administration as applicable:

The governing body of The Compton Unified School District (CUSD) is the School Board of CUSD. 56205(a)(12) (A)

RESPONSIBILITIES OF LOCAL CUSD BOARD MEMBERS

The Compton SELPA Board of Education shall

1. Exercise authority over, assume responsibility for and be fiscally accountable for special education programs operated by the SELPA.
2. By approving the Local Plan, enter into an agreement with other agencies participating in the plan for the purpose of delivery of services and programs.
3. Review and approve revisions of the CUSD SELPA Local Plan for Special Education
4. Participate in the governance of the CUSD SELPA through its designated representative, the CUSD SELPA Director. The CUSD SELPA Director has the authority to act as the board designee to approve and amend policies as necessary.

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5. Appoint members to the Community Advisory Committee.

GOVERNANCE, STRUCTURE, AND ADMINISTRATIVE SUPPORT

CUSD, pursuant to section 56195 of the California Education Code has the responsibility to adopt a plan in accordance with California Education Code 56200 to assure access to special education and services for all eligible individuals with disabilities residing in the geographic area served CUSD Special Education Local Plan Area (CUSD SELPA).

SELPA POLICY

Procedures for Development [56205 9a)(12)(B), 56205 (a)(D)(ii)(III). 56205 (b)(4)] 56205 (a)(D) (I), 56205 (a)(D)(ii)(I)]

Policies governing Compton SELPA shall be adopted by the Compton

Unified School District Board of Education and are included as part of the Local Plan. Input may be received from parents, staff, public and nonpublic agencies and members of the public at large. The Community Advisory Committee (CAC) shall review the Compton Local Plan and recommend modifications as necessary. All such modifications shall be subject to input process prior to incorporation in the plan. The Compton SELPA Director, or his/her designee, shall assist with these reviews.

Policies addressing Compton LEA responsibilities shall include, but not be limited to:

1. Free Appropriate Public Education
2. Full Educational Opportunity
3. Child Find
4. Individualized Education Program and Individualized Family Service Plan.

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3. Describe the SELPA's regional policy making process. Clearly define the roles of a multi-LEA governing body, or single LEA administration as applicable related to the policy making process for coordinating and implementing the local plan:

RESPONSIBILITY OF PARTICIPATING AGENCIES

(5620(A)(12)(d)(I), 56195.1 (b)(2), 56195.1 ©(1))

Compton LEA is responsible for implementing those services assigned to it and provided for in the Budget Plan. However, when CUSD is unable to provide an appropriate program for an individual student, it shall arrange for an appropriate placement, through an Individualized Education Team meeting with other agencies as required to meet the needs of the student.

Participating agencies may enter into additional contractual arrangements with CUSD to meet the requirements of each participating agency that agrees to carry out the duties and responsibilities assigned to it within the plan. Each agency shall provide special education and services to all eligible students, including students attending charter schools where CUSD SELPA has granted that charter. In addition, each agency shall cooperate to the maximum extent possible with other agencies to serve individuals with disabilities who cannot be served in CUSD programs. Such cooperation ensures that a range of program options is available throughout the CUSD Special Education Local Plan Area (see Service Plan).

4. Clearly define the roles of the County Office of Education (COE) as applicable, and/or any other administrative supports necessary to coordinate and implement the local plan:

The Compton SELPA ensures that a full continuum of programs options is available and has determined that:

1. Program options, as appropriate to the student's need, are available at local neighborhood schools.

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2. The majority of special education programs, to the maximum extent appropriate to the student's needs, are housed on regular school campuses and dispersed throughout the SELPA;

3. When scarcity of population or other factors prevent the Compton SELPA from directly providing required services for its students, the service may be provided by the county office, a school in a nearby SELPA or by a provider outlined in the Compton SELPA Service Plan.

4. The county provides services to students with Individual Education Plans (IEP) who are enrolled in County Community Day Schools, County Juvenile Schools, and Adult Detention facilities as identified in the Annual Service Plan. In addition, the county provides Differentiated Assistance and certified the Local Plan.

In determining the appropriate LRE placement for students with disabilities, the IEP team shall:

1. Determine if the student can be served in a general education classroom setting at the student's neighborhood school with supplemental aids and services. The IEP shall specify any supplemental aids and services;

2. Determine if the student can be served by the special education services provided at the student's neighborhood school campus. The IEP shall specify the extent to which the student will not be in the general education classroom setting and activities;

3. Take steps to ensure that the proper placement of ethnically and culturally diverse students is not disproportionate.

Los Angeles County provides services to students with Individual Education Programs (IEPs) who are enrolled in County Community Day Schools, County Juvenile Schools and Adult Detention facilities as identified in the Annual Service Plan, in addition, the county provides Differentiated Assistance and certified the Local Plan.

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5. Describe the policies and procedures of the SELPA that allow for the participation of charter schools in the local plan:

Board Policy 0420.4

The Governing Board recognizes that charter schools may assist the district in offering diverse learning opportunities for district students. In considering any petition to establish a charter school within the district, the Board shall give careful consideration to the potential of the charter school to provide students with a high quality education that enables them to achieve to their fullest potential.

CHARTER SCHOOL POLICY

56207.5 A request by a charter school to participate as a local educational agency in a special education local plan area may not be different from a similar request made by a school district.

In reviewing and approving a request by a charter school to participate as a local educational agency in a special local plan area, the following requirements shall apply:

56207.5 (a) The special education local plan area shall comply with Section 56140.

56207.5 (b) The charter school shall participate in state and federal funding for special education and the allocation plan developed pursuant to subdivision (l) of Section 56195.7 or Section 56836.05 in the same manner as other local educational agencies of the special education local plan area.

56207.5 (c) The charter school shall participate in governance of the special education local plan area in the same manner as other local educational agencies of the special education local plan area.

This policy applies to all charter schools that are chartered by the Compton Unified School District SELPA or by the State Board of Education in which oversight responsibilities have been assigned to the CUSD pursuant to Education Code section 47605 (k)(l). This

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policy does not apply to a charter school that was chartered by, or assigned to, an entity that is not a member of the SELPA.

As students enroll in charter schools are entitled to special education services provided in a similar manner to students enrolled in the public schools, charter schools within the SELPA and a charter school shall comply with all requirements of state and federal law regarding the provision of special education services (Education Code section 56000 et.seq. Individuals With Disabilities Act 20 U.S.C. Chapter 33).

As students enrolled in charter schools are entitled to special education services provided in a similar manner to students enrolled in the public schools, charter schools within the SELPA and a charter school shall not discriminate against any pupil in its admission criteria on the basis of disability.

Charter petitioners must delineate in their petition or in a Memorandum of Understanding (MOU) the entity responsible for providing special education instruction and services. This document must reference any anticipated transfer of special education instruction and services. This document must reference any anticipated transfer of special education funds between the granting entity and the charter school and any provisions for sharing deficits in funding. This document must affirm, in writing, that the district where the students reside, if different from the chartering entity, is not responsible for providing special education services to students that are enrolled in the charter school. The written agreement must also state that prior to final approval of a request to be deemed an LEA, the charter school will be deemed a public school within the chartering entity.

Public School Within the School District

Charter schools that are deemed to be public schools within the chartering entity will participate in state and federal funding in the same manner as other schools or programs within the

chartering entity. The chartering entity will be responsible for ensuring that all children with disabilities enrolled in the charter school receive special education and designated instruction and services in a manner that is consistent with all applicable provisions of state and federal law. The chartering entity will determine the policies and procedures necessary to ensure that the protections of special education law extend to students in the charter school in the same manner as students enrolled in other schools or programs administered by the chartering entity. The chartering entity will:

1. receive all applicable special education funds as specified in the SELPA Assembly Bill 602 Funding Allocation Plan. The allocation per ADA in the charter school will be the same as that received by the chartering entity;
2. represent the needs for the charter school in the SELPA governance structure;
3. be responsible for ensuring that all eligible students enrolled in the charter school are appropriately referred, assessed, and served in a timely manner;
4. be responsible for procuring and funding appropriate special education services wherever the student may reside; and
5. provide necessary special education services or contract for these services with public or nonpublic educational agencies.

When the chartering entity is the District, the charter school must be held fiscally responsible for a fair share of any encroachment on District general funds that is created by the provision of special education services throughout the District. 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.

B. Charter Schools as Independent LEAs

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If a charter school wishes to be an LEAQ, they must apply to a district in a multi-district SELPA for authorization of their charter. Should a charter school apply to be an LEA, the SELPA will treat applications by charter schools to be independent LEAs in the same manner that the SELPA treats applications by other districts and LEAs and may refer such applications to neighboring multidistrict SELPAs.

APPROVAL AND RENEWAL OF CHARTERS

Role of the SELPA Director

Prior to approval of a new charter school, or renewal of an existing charter school, the SELPA Director shall consult with the governing Board of the District or designee to ensure that the charter school responds to District and SELPA guidelines and timelines as they relate to special education. The SELPA Director shall review all proposed charter petitions, including petitions for renewal and advise the Governing Board on whether the petition contains reasonable assurances that all eligible students enrolled in the Charter School will receive appropriate special education services in accordance with state and federal law and the SELPA Local Plan for Special Education (Local Plan).

B. Required Contents of Charter Petitions

Petitions must provide that no student otherwise eligible to enroll in the charter school be denied enrollment due to a disability or to the charter school's inability to provide necessary services. Each charter petition must also contain a reasonably comprehensive description of the charter school's educational program, as it relates to the provision of special education services, including the following:

1. The specialized instruction and services available at the charter school;
2. The procedure for ensuring that students are referred, assessed, and served in a timely manner;

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3. Assurances that staff members providing special education services are appropriately credentialed;
4. Assurances that the facility used by the charter school does not present physical barriers that would limit an eligible student's full participation in the educational and extracurricular programs and that the school will comply with Section 504 of the rehabilitation act of 1973 (34 CFR 104) (hereinafter "504");
5. Assurances that disenrollment, suspension, and expulsion procedures comply with the protections of federal and state law afforded to special education and Section 504 eligible students; and
6. Dispute resolution procedures that will apply to any disputes between educational entities, including the SELPA, regarding the provision of special education services in the charter school.

CATEGORIES OF CHARTER SCHOOLS

For the purpose of providing special education services, charter schools shall be deemed either a public school within the chartering district, or an LEA that receives funds and provides services independent of the chartering entity. All approved charter schools will be deemed public schools within the chartering entity until the charter school has been deemed an LEA and accepted into a SELPA.

Denial of Petition

The Board shall deny any petition to authorize the conversion of a private school to a charter school or that proposes to serve students in a grade level that is not served by the district, unless the petition proposes to serve students in all grade levels served by the district.

(Education Code 47602, 47605; 5CCR 11965)

Any other charter petition shall be denied only if the Board presents written factual findings

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specific to the petition that one or more of the following conditions exist:

(Education Code 47605)

1. The charter school presents an unsound educational program for the students to be rolled in the charter school;
2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition;
3. The petition does not contain the number of signatures required;
4. The petition does not contain an affirmation of each of the conditions described in Education Code 476059(d)
5. The petition does not contain reasonably comprehensive descriptions of the charter provisions in education Code 47605 (b).

The Board shall not deny a petition based on the actual or potential costs of serving students with disabilities.

If the Board denies a petition, the petitioners may choose to submit the petition to the County Board of Education and, if then denied by the County Board, to the SBE. (Education Code 47605)

Legal Reference:

EDUCATION CODE

220 Nondiscrimination

17280-17317 Field Act

17365-17374 Field Act, fitness for occupancy

35330 Field trips and excursions; student fees

38080-38086 School Meals 42100 Annual statement of receipts and expenditures

44237 Criminal record summary

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44830.1 Certificated employees, conviction of a violent or serious felony
45122.1 Classified employees, conviction of a violent or serious felony
46201 Instructional minutes
47600-47616.7 Charter Schools Act of 1992
47634.2 Nonclassroom-based instruction
47640-47647 Special education funding for charter schools
48000 Minimum age of admission for kindergarten; transitional kindergarten
48010-48011 Minimum age of admission (first grade)
48907 Students' exercise of free expression; rules and regulations
48950 Student speech and other communication
49061 Student Records
49110 Authority of issue work permits
49475 Health and safety, concussions and head injuries
51745-51749.3 Independent Studies
52051.5-52052 Academic performance index, applicability to charter schools
52060-52077 Local control and accountability plans
52075 Uniform complaint procedures
56026 Special education
56145-56146 Special education services in charter schools
60600-60649 Assessment of academic achievement
60850-60859 High school exit examination CORPORATIONS CODE
5110-6910 Nonprofit public benefit corporations
GOVERNMENT CODE
3540-3549.3 Educational Employment Relations Act

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54950-54963 The Ralph M. Brown Act

LABOR CODE

1198.5 Personnel records related to performance and grievance

PENAL CODE

557.5 Definition of violent felony

1192.7 Definition of serious felony

CALIFORNIA CONSTITUTION

Article 9, Section 5 Common School system

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

11700.1-11705 Independent study

11960-11969 Charter schools

CODE OF REGULATIONS, TITLE 24

101 et.seq. California Building Standards Code

UNITED STATES CODE, TITLE 20

6311 Adequate yearly progress

6319 Qualifications of teachers and paraprofessionals

7223-7225 Charter schools

CODE OF FEDERAL REGULATIONS, TITLE 34

200.1-200.78 Accountability 300.18 Highly qualified special education teachers

COURT DECISIONS

Ridgecrest Charter School v. Sierra Sands Unified School District, (2005) 130 Cal.App.4th 986

ATTORNEY GENERAL OPINIONS

89 Ops.Cal.Atty.Gen.166 (2006)

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80 Ops.Cal.Atty.Gen.52 (1997)

78 Ops.Cal.Atty.Gen.297 (1995)

CALIFORNIA OFFICE OF ADMINISTRATIVE HEARINGS DECISIONS

Student v. Horizon Instructional Systems Charter School, (2012)OAH Case No. 2011060763

Management Resources:

CSBA PUBLICATIONS

The Role of the Charter School Authorizer, Online Course

Charter Schools: A Manual for Governance Teams, rev. 2009

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual

Sample Copy of a Memorandum of Understanding

Pupil Fees, Deposits and Other Charges, Fiscal Management Advisory 11-01, November 9, 2011

Special Education and Charter Schools: Questions and Answers, September 10, 2002

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Charter Schools Program: Title V, Part B of the ESEA, April 2011

The Impact of the New Title I Requirements on Charter Schools, July 2004

WEB SITES

CSBA: <http://www.csa.or> California Charter Schools Association: <http://www.calcharters.org>

California Department of Education, Charter Schools: <http://www.cde.ca.gov/sp/cs>

National Association of Charter School Authorizers: <http://www.qualitycharters.org>

U.S. Department of Education: <http://www.ed.gov>

Policy COMPTON UNIFIED SCHOOL DISTRICT

adopted: June 22, 2010 Compton, California

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6. Identify and describe the representation and participation of the SELPA community advisory committee (CAC) pursuant to EC Section 56190 in the development of the local plan:

The Compton SELPA has established a Community Advisory Committee for special education (See Appendix B “ Community Advisory Committee by-Laws”). The Compton SELPA Community Advisory Committee is comprised of parents of students with disabilities enrolled in public or non-public schools within the Compton SELPA, and may include students and adults with disabilities, general education teachers, special education providers, and other school personnel within the Compton SELPA, representative of other public and non-public agencies, and persons concerned with the education of persons with disabilities. The Compton School Board shall appoint members to the CAC.

Compton SELPA shall establish policies for the operations of the CAC and the state regulations for CAC responsibilities (see Community Advisory Committee By-Laws).

The responsibilities of the CAC shall include but not limited to:

1. advise in the development, amend and review the Local Plan
2. facilitate parent training on special education programs, and issues as identified by parents in the CAC;
3. encourage community involvement in local schools
4. support district-wide and local school activities on behalf of individuals with disabilities; 6. assist in parent awareness of the importance of regular school attendance.

The Community Advisory Committee shall consist of not less than 6 members and no more than 24 members. The term of office of CAC members shall be two years. CAC members shall not serve more than two terms consecutively. The Responsibilities of the Community Advisory Committee are:

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1. advise in the development and review of the Local Plan
2. assist in parent and public education and in recruiting parents who may contribute to the implementation of the Local Plan
3. act in a support role to individuals and parents of individuals with exceptional needs
4. assist in recruiting volunteers who may contribute to parent activities and training
5. assisting in the development of parent awareness of the importance of regular school attendance

7. Describe the SELPA's process for regular consultations regarding the plan development with representative of special education and regular education teachers, and administrators selected by the groups they represent and parent members of the CAC:

The Local Plan is developed and updated cooperatively by a committee of representatives of special and general education teachers and administrators and representatives of charter schools selected by the groups they represent and with participation by the chair of the CAC Local Plan Committee to ensure adequate and effective participation and communication. Teacher participants shall be selected by their peers. General education and special education administrators shall be selected by the representative superintendents. Directors of charter schools shall be requested to select a representative to serve on the Local Plan committee. 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.

The process used to amend and review the Local Plan will include the cooperative involvement by a committee of representatives of special and regular education teachers and administrators selected by the groups they represent and with participation by parent members of the CAC, or parents selected by the CAC, to ensure adequate and effective participation and

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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.

If Compton SELPA wishes to elect an alternative option from those specified in Ed Code 56195 it must notify the CDE and county office of its intent at least one (1) fiscal year prior to the proposed effective date of the implementation of the alternative plan.

Amendments to the Local Plan may be proposed by the SELPA and shall be approved and permanent upon subsequent approval by the local governing board, upon review by the County Office and subsequent approval of the State Superintendent. Nothing in the section shall modify the requirements of Education Code section 56205 requiring an annual budget and annual service plan.

Changes or amendments to the permanent portion of the Local Plan may be considered during the annual service and budget planning process. Amendments approved in this manner would become permanent upon subsequent approval by the local governing 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.

8. Identify and describe the responsible local agency (RLA), Administrative Unit (AU), or other agency who is responsible for performing tasks such as the receipt and distribution of funds, provision of administrative support, and coordination and implementation of the plan:

All Federal and State special education funds shall be allocated to the SELPA Administrative Unit for distribution according to an approved Special Education Funding Allocation Plan.

Any changes to the allocation of Federal and State special education funds shall be made by

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the Compton SELPA AU.

A. Responsibilities for distribution of Federal and State funds

The governing board of Compton Unified School District (CUSD) agrees that students with disabilities will be provided with appropriate special education services. The CUSD SELPA shall be responsible for the distribution of the funds according to an approved Special Education Budget Plan. The Annual Budget Plan shall be reviewed by the CUSD Community Advisory Committee and approved by the CUSD Board of Education.

B. Monitoring the use of special education funds. Funds allocated for special education programs shall be used for services to students with

disabilities. Federal funds under Part B of IDEA may be used for the following activities:

1. for the costs of special education and related services and supplementary aids and services provided in a regular class or other education-related setting to a child with a disability in accordance with the IEP for the child, even if one or more nondisabled children benefit from these services.

2. to develop and implement a fully integrated and coordinated services system.

The SELPA Director shall be responsible to monitor on an annual basis the appropriate use of all funds allocated for special education programs. Final determination and action regarding the appropriate use of special education funds shall be made through the Annual Budget Plan process which includes conducting a public hearing.

C. Preparation of program and fiscal reports

The SELPA Director, with the assistance of the Administrative Unit, shall be responsible to prepare all program and fiscal reports required of the SELPA by the state.

D. Amendments to the Annual Service and Budget Plans

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

9. Describe the contractual agreements and the SELPA's system for determining the responsibility of participating agency for the education of each student with special needs residing within the geographical area served by the plan:

The District contracts with nonpublic, nonsectarian schools (MNPD) and non public, non sectarian agencies (NPA) certified by the CDE, via the appropriate certification process. The SELPA has the authority to visit, observe, monitor, and report on the educational program provided by any NPS/NPA under contract with the District or involved in a potential placement with the District. Any request for a waiver shall be considered and approved at the discretion of the SELPA Director.

The SELPA shall consider the needs of the individual student and the recommendations of the IEP team when entering into agreements with nonpublic, nonsectarian schools or agencies.

The IEP team shall remain accountable for monitoring the progress of students placed in non public, non sectarian programs, toward the goals identified in each student's IEP.

The SELPA will submit NOS Master Contracts to the Board for approval. Each Master Contract is modeled after the State Master Contract and Service Agreement which contains requirements to allow the SELPA to monitor the placement and services of students in certified nonpublic, non sectarian schools. The school shall have at least an annual IEP meeting that will facilitate the evaluation of the placement and services to ensure implementation of the IEP. The Master Contract provided by the SELPA contains language requiring reporting from the certified nonpublic, nonsectarian school regarding IEP progress as required by the District. At each annual IEP meeting, which shall include a representative of the SELPA, the certified nonpublic, nonsectarian school shall provide documentation as to

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the student's progress towards annual goals and objectives. The annual data provided by the certified non public, nonsectarian schools shall be authentic curriculum-based measurements, in accordance with state-adopted grade level standards.

The SELPA's contract with a nonpublic, nonsectarian school shall evaluate the placement of its student(s) in such schools on an annual basis as part of the annual IEP review. The SELPA shall collaboratively review with the nonpublic, nonsectarian school the evaluations conducted by the school to ensure that they were appropriate and valid for measuring student progress. The SELPA may choose to administer additional assessments as necessary, with parental consent, to determine whether the student is making appropriate educational progress.

Interagency agreements necessary to support the implementation of the Local Plan, and as required by legal mandates, have been developed with the following agencies: - California Children's Services

- Head Start - Regional Center

Other interagency agreements will be developed as needed. Copies of these documents can be requested through the SELPA office.

10. For multi-LEA local plans, specify:

a. The responsibilities of each participating COE and LEA governing board in the policymaking process:

b. The responsibilities of the superintendents of each participating LEA and COE in the implementation of the local plan:

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c. The responsibilities of each LEA and COE for coordinating the administration of the local plan:

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

a. The hiring, supervision, evaluation, and discipline of the SELPA administrator and staff employed by the AU in support of the local plan:

b. The local method used to distribute federal and state funds to the SELPA RLA/AU and to LEAs within the SELPA:

c. The operation of special education programs: education programs:

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d. Monitoring the appropriate use of federal, state, and local funds allocated for special education programs:

Both the annual budget and service plan for the District are reviewed, at least annually by the Finance Department, Special Education Directors, CAC, and the Superintendent's Cabinet. All policies implemented in the single district SELPA are developed consistent with the district Administrative Procedures.

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

Low Incidence funds provided by the State allow for the purchase of specialized books, materials, and equipment 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.

"Low Incidence disability" 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 twelve (12). For purposes of this definition, severe disabling conditions are hearing impairments, vision impairments, and severe orthopedic impairments, or any combination thereof. The SELPA is responsible for ensuring that each student who has been identified as a student with a "low incidence" disability receives the required instructional support as indicated on the IEP.

The SELPA Executive Director is responsible for ensuring that all eligibility requirements are met prior to approving any expenditure of these funds.

Eligibility

The recommendation for the use of Low Incidence equipment is an Individual Education Plan

(IEP) team determination made only after an assessment has been completed and during an IEP team meeting. It is not a unilateral decision made by a parent, classroom teacher or other related service provider such as a Speech and Language Pathologist, Occupational Therapist, Physical Therapist or Assistive Technology Specialist.

Low incidence categories for special education are:

Orthopedic Impairment (270) Visual Impairment (250) Hearing Impairment

1. Deaf (230) 2. Hard of Hearing (220)

Any combination of the above, including Deaf/Blind (300) Multiple Disability (310) in which one of the above mentioned disabilities must be included 22

LOW INCIDENCE PROCEDURES

1. Schedule and hold the Annual IEP team meeting or an Amendment IEP team meeting as appropriate.

2. At the IEP meeting, identify the Low Incidence eligibility and list that handicapping condition first under “eligibility”.

3. Review any assessments and recommendations. If an assessment specifically determines a need for specialized equipment or services, the IEP team must discuss the assessment results and make the determination as to what type of specialized equipment and/or services is needed. If the IEP team determines an assessment needs to be conducted for low incidence purposes, the procedures for developing an Assessment Plan, including permissions and time-lines must be followed and a new IEP team Meeting must be held to review the results of that assessment.

4. At the IEP meeting, the determination of the type of equipment and/or services and who will be responsible for obtaining the equipment, using it, etc. will be made by the IEP team. This must be reflected in the “Team Meeting Notes”.

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5. The rationale for the use of the equipment (do not use brand names) for Educational benefits must be described. This is MANDATORY.
 6. Develop IEP Goals and Benchmarks specifically addressing the use of the specialized equipment/and or services. The equipment required must be embedded within the goal. Do not write in brand names of equipment, use the generic term such as “adaptive seating”, or “speech generating device”, etc. For example, “Johnny will request a desired object using a speech generating device by. ”.When the IEP team has agreed on the various components, update, affirm and attest the changes to the IEP in SEIS.
 7. The designated IEP team member for handling the Low Incidence order will copy and attach the information to the IEP. This will include a description of the equipment, the catalogue where it is to be ordered, the vendor information, costs, shipping information, etc.
 8. The IEP Case Manager, or individual designated to handle the specialized equipment, will complete the “Low Incidence Cover Sheet” and attach a complete copy of the IEP and equipment and vendor information and send to the Administrator in charge of Low Incidence.
 9. The IEP Case Manager or individual designated to handle the specialized equipment will complete a district Purchase Requisition. The name of the student and the purpose for the equipment order must be included on the Purchase Requisition. The delivery location will be specified by the Low Incidence Manager.
 10. The Low Incidence Administrator will review the IEP and equipment/vendor information. If all is satisfactory, he/she will process the order.
- Note: The grant has a limited amount of funds each year so the equipment ordered must be the least expensive available that satisfies the need.
11. When the order has been received by the district, the Low Incidence

Administrator will check the order for completeness, and record that the order has been received. He/she will then contact the Case Manager and inform him/her that the equipment has arrived and is available for pick up.

LOW INCIDENCE FOLLOW-UP PROCEDURES

1. For each Annual IEP thereafter, the IEP Goals and Benchmarks must reflect the progress the student has made utilizing the equipment.
2. Low Incidence equipment is specifically for the use of the Low Incidence student. While other students may use the equipment, such as a computer, if appropriate, the primary use is for the Low Incidence student.
3. Low Incidence Equipment “follows” the student. If a student changes school sites, the teacher may not retain the equipment for use with other students. The equipment must be transferred, according to district transfer procedures, so the assigned student has the equipment not only at the new school site, but also during Extended School Year as appropriate.
4. Equipment that is no longer needed by the student must be returned to the Low Incidence Administrator, currently based at Cameron School, for inventory and storage purposes.
5. Existing Low Incidence equipment that is no longer being used by the a student for whom it was ordered may be used for other Low Incidence students following the above mentioned procedures. The equipment will need to be checked out from the Low Incidence Administrator.
6. Any questions must be directed to the Low Incidence Administrator

TRANSFER OF SPECIAL EDUCATION STUDENT EQUIPMENT/SUPPLIES

The district has adopted an administrative procedure regarding “the transfer of special

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education student equipment/supplies. As severely handicapped students move from class to class and/or school to school, it is essential that the student's personalized equipment/supplies are transferred with him/her.

Use of the Transfer of Special Education Student Equipment/Supplies Form

As need arises for the transfer of Special Education Student Equipment/Supplies, the on-site IEP Case Manager (teacher or speech therapist) shall complete and process the Transfer of Special Education Student Equipment Supplies Form. Upon receipt of the completed form, the Special Education Program Manager will contact the Site Case manager (teacher/speech therapist) and confirm the equipment/supplies, the transfer date and the person responsible for the transfer. The Program Manager will send the form to the receiving school and on site IEP Case Manager (teacher/speech therapist). The Special Education Program Manager will secure appropriate signatures, inventory the equipment on the computer, and file the white copy in the student's Special Education file at the Pupil Services Center.

Policy Identification and Location

Pursuant to EC sections 56122 and 56205(a), the SELPA ensures conformity with 20 USC and in accordance with 34 CFR Section 300.201 and has in effect policies, procedures, and programs.

For each of the following areas, identify whether, or not each of the following provisions of law are adopted as stated. If the policy is not adopted as stated, briefly describe the SELPA's policy for the given area. In all cases, provide the SELPA policy and procedure numbers; the document title; and the physical location where the policy can be found.

Policies, Procedures, and Programs

Pursuant to EC sections 56122 and 56205(a), the SELPA ensures conformity with Title 20 *United*

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States Code (USC) and in accordance with Title 34 Code of Federal Regulations (CFR) Section 300.201 and has in effect policies, procedures, and programs. For each of the following 23 areas, identify whether, or not each of the following provisions of law are adopted as stated. If the policy is not adopted as stated, briefly describe the SELPA's policy for the given area. In all cases, provide the SELPA policy and procedure numbers; the document title; and the physical location where the policy can be found.

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

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

7. Evaluation: 20 USC Section 1412(a)(7)

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

8. Confidentiality: 20 USC Section 1412(a)(8)

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

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

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA that the local plan shall be adopted by the appropriate local board(s) (district/county) and is the basis for the operation and administration of special education programs, and that the agency(ies) herein represented will meet all applicable requirements of state and federal laws and-regulations, including compliance with the IDEA; the Federal Rehabilitation Act of 1973,

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Section 504 of Public Law; and the provisions of the California *EC*, Part 30." The policy is adopted by the SELPA as stated:

Yes No

12. Interagency: 20 USC Section 1412(a)(12)

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

13. Governance: 20 USC Section 1412(a)(13)

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

14. Personnel Qualifications

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA to ensure that personnel providing special education related services

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

Yes No

15. Performance Goals and Indicators: 20 USC Section 1412(a)(15)

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

16. Participation in Assessments: 20 USC Section 1412(a)(16)

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

18. Maintenance of Effort: 20 USC Section 1412(a)(18)

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

19. Public Participation: 20 USC Section 1412(a)(19)

Policy/Procedure Number:

Policy/Procedure Title:

Document Location:

"It shall be the policy of this LEA that public hearings, adequate notice of the hearings, and an opportunity for comments are available to the general public, including individuals with disabilities and parents of children with disabilities, and are held prior to the adoption of any policies and/or regulations needed to comply with Part B of the IDEA." The policy is adopted by the SELPA as stated:

Yes No

20. Suspension and Expulsion: 20 USC Section 1412(a)(22)

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

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

Policy/Procedure Number:

Document Title:

Document Location:

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

Yes No

23. Prohibition on Mandatory Medicine: 20 USC Section 1412(a)(25)

Policy/Procedure Number:

Document Title:

Document Location:

"It shall be the policy of this LEA to prohibit school personnel from requiring a student to obtain a

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prescription for a substance covered by the Controlled Substances Act as a condition of attending school or receiving a special education assessment and/or services." The policy is adopted by the SELPA as stated:

Yes No

Administration of Regionalized Operations and Services

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

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

Reference Number:	<input type="text" value="BP 0430"/>
Document Title:	<input type="text" value="Comprehensive Local Plan For Special Education"/>
Document Location:	<input type="text" value="Compton SELPA Office"/>

<p>The Board of Trustees desires to provide a free appropriate public education to all individuals with disabilities, aged 3 to 21 years, who reside in the district, including children who have been suspended or expelled or placed by the district in a nonpublic, nonsectarian school.</p> <p>Students shall be referred for special education instruction and services only after the resources of the regular education program have been considered, and where appropriate, utilized. (Education Code 56303)</p> <p>(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))</p> <p>(cf. 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities)</p> <p>(cf. 6159 - Individualized Education Program)</p> <p>(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)</p> <p>(cf. 6159.2 - Nonpublic Nonsectarian School and Agency Services for Special Education)</p>
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(cf. 6159.3 - Appointment of Surrogate Parent for Special Education Students)

(cf. 6159.4 - Behavioral Interventions for Special Education Students)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

(cf. 6164.6 - Identification and Education Under Section 504)

The special education local plan area (SELPA) shall administer a local plan and administer the allocation of funds. (Education Code 56195)

(cf. 1220 - Citizen Advisory Committees)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 3541.2 - Transportation for Students with Disabilities)

(cf. 4112.23 - Special Education Staff)

In order to meet the needs of individuals with disabilities and employ staff with adequate expertise for this purpose, the district participates as a member of the SELPA.

The Superintendent or designee shall extend the district's full cooperation to the SELPA. The policies and procedures of the SELPA shall be applied as policies and regulations of this district, with the exception of those that apply to complaints, unless the SELPA plan specifically authorizes the district to operate under its own policies and regulations.

Legal Reference:

EDUCATION CODE

56000-56001 Education for individuals with exceptional needs

56020-56035 Definitions

56040-56046 General provisions

56048-56050 Surrogate parents

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Description:

56055 Foster parents

56060-56063 Substitute teachers

56170-56177 Children enrolled in private schools

56190-56194 Community advisory committees

56195-56195.10 Local plans

56205-56208 Local plan requirements

56213 Special education local plan areas with small or sparse populations

56240-56245 Staff development

56300-56385 Identification and referral, assessment, instructional planning

56440-56447.1 Programs for individuals between the ages of three and five years

56500-56508 Procedural safeguards, including due process rights

56520-56524 Behavioral interventions

56600-56606 Evaluation, audits and information

56836-56836.05 Administration of local plan

GOVERNMENT CODE

7579.5 Surrogate parent, appointment, qualifications, liability

95000-95029 California Early Intervention Services Act

WELFARE AND INSTITUTIONS CODE

361 Limitations on parental control

726 Limitations on parental control

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CODE OF REGULATIONS, TITLE 5

3000-3089 Regulations governing special education

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29

794 Rehabilitation Act of 1973, Section 504

UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 34

99.10-99.22 Inspection, review and procedures for amending education records

104.1-104.39 Section 504 of the Rehabilitation Act of 1973

300.1-300.818 Assistance to states for the education of children with disabilities, including:

300.500-300.520 Due process procedures for parents and children

303.1-303.654 Early intervention program for infants and toddlers with disabilities

Management Resources:

WEB SITES

California Department of Education, Special Education: <http://www.cde.ca.gov/sp/se>

U.S. Department of Education, Office of Special Education Programs: <http://www.ed.gov/about/offices/list/osers/osep>

2. Coordinated system of identification and assessment:

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Reference Number:

Document Title:

Document Location:

Note: Identification, evaluation, assessment and instructional planning procedures for children younger than age three must conform with Education Code 56425-56431 and the California Early Intervention Services Act (Government Code 95000-95029). The CDE and local education agencies are responsible for providing early intervention services to infants and toddlers who have visual, hearing or severe orthopedic impairment; the Department of Developmental Services and its regional centers must provide services to all other eligible children in this age group. The law also requires regional centers and local education agencies to coordinate family service plans for infants and toddlers and their families. Education Code 56441.11 sets forth eligibility criteria for preschool children ages three to five.

The Board of Trustees recognizes the need to actively seek out and evaluate residents from birth through age 21 within the district who have disabilities in order to provide them with appropriate educational opportunities in accordance with state and federal law.

(cf. 0430 - Comprehensive Local Plan for Special Education)

(cf. 6164.6 - Identification and Education under Section 504)

Note: The Individuals with Disabilities Education Act, (IDEA) 20 USC 1412(a)(3) and 34 CFR 300.125, requires that this "child find" identification system include identification of students with disabilities attending private schools, including religious-school children residing within the district, and highly mobile children with disabilities, such as migrant and homeless children.

The Superintendent or designee shall develop a method to ensure that all children residing within the district are currently receiving needed special education and related services. In addition, the Superintendent or designee shall consult with appropriate representatives of private school children with disabilities on how to identify, locate and evaluate these children. (20 USC 1412(a)(3); 34 CFR 300.451)

The Superintendent or designee shall establish a means whereby parents/guardians, teachers, appropriate professionals and others may

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

For assessment purposes, staff shall use appropriate tests to identify specific information about the student's abilities in skill areas. In addition, staff shall use multiple measures, including direct observation, to study the effect of interventions or modifications to the regular instructional program. Staff also may consider the student's personal history, development and adaptive behavior.

Note: Education Code 56351 requires that opportunities for Braille instruction by appropriately credentialed teachers be given to students who may need it as a reading medium. Each visually impaired student must be given the opportunity for an assessment to determine his/her appropriate reading medium or media, including Braille, and an assessment of Braille skills is required for functionally blind students.

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

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 3541.2 - Transportation for Students with Disabilities)

(cf. 4112.23 - Special Education Staff)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

(cf. 5145.6 - Parental Notifications)

(cf. 6159 - Individualized Education Program)

(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)

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Description:

(cf. 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education)

(cf. 6159.3 - Appointment of Surrogate Parent for Special Education Students)

(cf. 6162.5 - Student Assessment)

Legal Reference:

EDUCATION CODE

44265.5 Professional preparation for teachers of impaired students

56000-56001 Special education programs

56026 Individuals with disabilities

56026.5 Low incidence disability

56029 Referral for assessment

56136 Guidelines for low disability areas

56300-56303 Identification of individuals with disabilities

56320-56329 Assessment

56333-56338 Eligibility criteria

56339 Attention deficit and hyperactivity disorders

56340-56347 Instructional planning and individualized education program

56350-56352 IEP for visually impaired students

56381 Reassessment of students

56425-56432 Early education for individuals with disabilities

56441.11 Eligibility criteria, children 3 to 5 years old

56445 Transition to grade school; reassessment

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56500-56508 Procedural safeguards
GOVERNMENT CODE
95000-95029 California Early Intervention Services Act
CODE OF REGULATIONS, TITLE 5
3021-3029 Identification, Referral and Assessment
3030-3031 Eligibility criteria
UNITED STATES CODE, TITLE 20
1232g Family Educational Rights and Privacy Act of 1974
1412 State eligibility
1415 Procedural safeguards
CODE OF FEDERAL REGULATIONS, TITLE 34
104.35 Evaluation and placement
104.36 Procedural safeguards
300.1-300.756 Assistance to states for the education of students with disabilities
COURT DECISIONS
Agostini v. Felton, (1997) 521 U.S. 203, 117 S.Ct. 1997
Management Resources:
FEDERAL REGISTER
34 CFR 300.a Appendix A to Part 300 - Questions and Answers
34 CFR 300a1 Attachment 1: Analysis of Comments and Changes

3. Coordinated system of procedural safeguards:

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Reference Number:

Document Title:

Document Location:

Procedural Safeguards/Due Process Hearings

In order to protect the rights of students with disabilities and their parents/guardians, the district shall follow all procedural safeguards as set forth in law.

Parents/guardians shall receive written notice of their rights, including the right to a due process hearing for any dispute related to the identification, assessment or educational placement of a child or the provision of a free, appropriate public education to the child.

(cf. 5145.6 - Parental Notifications)

(cf. 6159 - Individualized Education Program)

The Superintendent or designee shall represent the district in any due process hearings conducted with regard to district students and shall provide the Board of Trustees with the results of these hearings.

Complaints for Special Education

Note: A complaint, which can be made by anyone, is an allegation of a violation of state or federal law.

Complaints concerning compliance with state or federal law regarding special education shall be addressed in accordance with the district's uniform complaint procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

Legal Reference:

EDUCATION CODE

56000 Education for individuals with exceptional needs

56001 Provision of the special education programs

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Description:

56020-56035 Definitions

56195.7 Written agreements

56195.8 Adoption of policies for programs and services

56300-56381 Identification and referral, assessment, instructional planning, implementation, and review

56440-56447.1 Programs for individuals between the ages of three and five years

56500-56507 Procedural safeguards, including due process rights

56600-56606 Evaluation, audits and information

CODE OF REGULATIONS, TITLE 5

3000-3089 Regulations governing special education

4600-4671 Uniform complaint procedures

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act

CODE OF FEDERAL REGULATIONS, TITLE 34

99.10-99.22 Inspection, review and procedures for amending education records

104.36 Procedural safeguards

300.500-300.517 Due process procedures for parents and children

Management Resources:

WEB SITES

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http://www.cde.ca.gov"/>

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

Reference Number:

Document Title:

Document Location:

The Superintendent or designee shall ensure that certificated staff members have opportunities to learn both from outside sources and from each other. These opportunities may include release time, leaves of absence or use of noninstructional time for:

1. Visits to other classrooms and other schools
2. Attendance at professional education conferences or committee meetings
3. Participation in professional development networks that promote inquiry and allow staff to analyze and evaluate each other's work
4. Peer conferences and/or joint staff preparation time
5. Discussions with representatives of business and community agencies for the purpose of identifying the skills, knowledge and aptitudes necessary for specific career paths and developing meaningful career-related, work-based learning experiences
6. Internships in industry and community agencies where teachers can learn how academic skills are used in the workplace
(cf. 1700 - Relations Between Private Industry and the Schools)
7. Travel, study and research in subject matter content and effective educational practices
(cf. 4161.3 - Professional Leaves)
8. Training classes and workshops offered by the district, county office of education or state projects

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9. Training in institutions of higher education, including credit courses conducted in or near the district whenever possible

10. Follow-up activities that help staff to implement newly acquired skills

The Superintendent or designee shall provide an up-to-date professional library for use by staff.

Instructional Time and Staff Development Reform Program

The Superintendent or designee shall design a program which provides staff development opportunities for certificated classroom teachers and certificated teaching assistants on days that are not counted as instructional time. This staff development program shall meet the following conditions:

1. The program shall meet the district's educational priorities as defined by the Board of Trustees and be consistent with regulations adopted by the State Board of Education. (Education Code 44579.1)

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 6010 - Goals and Objectives)

2. The program shall provide staff development in the academic content of the core curriculum; in instructional methods, including teaching strategies and classroom management; and in any other training designed to improve student performance. (Education Code 44579.1)

"Core curriculum areas" means those areas of study specified in Education Code 51210(a)-(g) and 51220(a)-(j). (5 CCR 6000)

3. For each staff development day provided under this program, records of attendance shall be maintained and participants shall be present for the full day. (Education Code 44579.1)

The district shall maintain a certification of the contemporaneous record of attendance of the eligible participants who attended each full staff development day for which the district requests funding. If a single staff development day is conducted over several calendar days, the contemporaneous records must evidence that each employee who participated in the staff development day was present for the equivalent

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of a full-time instructional work day. (5 CCR 6001)

4. Each staff development day shall be at least as long as the full-time instructional day for certificated employees of the district. However, a single staff development day may be conducted over several calendar days. (Education Code 44579.1)

5. If the staff development day is conducted after completion of an instructional day, it may not be held on a minimum day for which parents/guardians were notified pursuant to Education Code 48980. (Education Code 44579.1)

(cf. 5145.6 - Parental Notifications)

(cf. 6111 - School Calendar)

Beginning Teacher Support

To support teachers who are serving in their first or second year of service and enhance their effectiveness in teaching district students, the Superintendent or designee shall: (Education Code 44279.2)

1. Develop, implement and evaluate a teacher induction program which meets the Quality and Effectiveness for Beginning Teacher Induction Program Standards adopted by the Commission on Teacher Credentialing

2. Support beginning teachers in meeting the competencies described in the California Standards for the Teaching Profession adopted by the Commission on Teacher Credentialing

3. Meet criteria for the cost-effective delivery of program services

Staff development opportunities for classified staff may include, but are not limited to, the following:

1. Visits to other schools and school districts

2. Local and state conferences involving other classified personnel

3. Training classes and workshops offered by the district, county office of education, institution of higher education, private organization or other appropriate agency

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Description:

(cf. 4261.3 - Professional Leaves)

4. Access to a professional library, which shall include books and reference materials related to job responsibilities

Classified Classroom Instructional Aides

Classified classroom instructional aides may participate in staff development related to the academic content of the core curriculum and/or instructional methods, including teaching strategies, classroom management and other training designed to improve student performance. Such staff development shall be conducted on days that are not counted as instructional time and shall meet other requirements of Education Code 44579.1.

(cf. 4131 - Staff Development)

(cf. 6111 - School Calendar)

Probationary and permanent classified employees shall not receive regular pay on such staff development days unless they are required to report for duty on those days. (Education Code 44579.1)

The Board of Trustees recognizes that professional development enhances employee effectiveness and contributes to personal growth. Staff development for administrative and supervisory personnel shall be designed to guide institutional improvement, build leadership skills, and enhance overall management efficiency.

(cf. 4119.21/4219.21/4319.21 - Professional Standards)

The Superintendent or designee may develop a plan for administrator support and development activities that is based on a systematic assessment of the needs of district students and staff and is aligned to the district's vision, goals, local control and accountability plan, and other comprehensive plans.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 0420 - School Plans/Site Councils)

(cf. 0420.1 - School-Based Program Coordination)

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(cf. 0460 - Local Control and Accountability Plan)

(cf. 0520.2 - Title I Program Improvement Schools)

(cf. 0520.3 - Title I Program Improvement Districts)

(cf. 0520.4 - Quality Education Investment Schools)

The district's staff development program for district and school administrators may include, but is not limited to, the following topics:

1. Personnel management, including best practices on hiring, recruitment, assignment, and retention of staff

(cf. 4111/4211/4311 - Recruitment and Selection)

(cf. 4112.24 - Teacher Qualifications Under the No Child Left Behind Act)

(cf. 4113 - Assignment)

2. Effective fiscal management and accountability practices

(cf. 3100 - Budget)

(cf. 3460 - Financial Reports and Accountability)

3. Academic standards and standards-aligned curriculum and instructional materials

(cf. 6011 - Academic Standards)

(cf. 6141 - Curriculum Development and Evaluation)

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

4. Leadership training to improve the academic achievement of all students, including capacity building in pedagogies of learning, instructional strategies that meet the varied learning needs of students, and student motivation

5. The use of student assessments, including analysis of disaggregated assessment results to identify needs and progress of student subgroups

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(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - State Academic Achievement Tests)

(cf. 6162.52 - High School Exit Examination)

6. The use of technology to improve student performance and district operations

(cf. 0440 - District Technology Plan)

7. Creation of safe and inclusive school environments

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 5137 - Positive School Climate)

8. Parental involvement and community collaboration

(cf. 1240 - Volunteer Assistance)

(cf. 6020 - Parent Involvement)

9. Employee relations

10. Effective school and district planning processes

The district's staff evaluation process may be used to recommend additional staff development for individual employees.

(cf. 4315 - Evaluation/Supervision)

The Superintendent or designee may evaluate the benefit to staff and students of professional development activities.

(cf. 0500 - Accountability)

Legal Reference:

EDUCATION CODE

44681-44689.2 Administrator training and evaluation

52060-52077 Local control and accountability plan

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Management Resources:

California Professional Standards for Educational Leaders, 2001

WEB SITES

Association of California School Administrators: <http://www.acsa.org>

California Department of Education: <http://www.cde.ca.gov>

California School Leadership Academy: <http://www.csla.org>

Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

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

Reference Number:

Document Title:

Document Location:

The Board of Trustees accepts responsibility for establishing what students should learn. The Board shall adopt a district curriculum which reflects district philosophy, responds to student needs and abilities, and is consistent with the requirements of law. Insofar as possible, this curriculum shall also reflect the desires of the community and the needs of society as a whole.

The Board considers curriculum improvement to be a top priority for the district. Curriculum development and evaluation will therefore be an ongoing process in the district, routinely supported by planned allocations of resources and staff time.

The Board may establish a curriculum review cycle for comparing each area of the curriculum against state model curriculum standards and Board policy.

(cf. 6178 - Vocational Education)

The Superintendent or designee shall establish procedures which

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Description:

ensure that the curriculum development and evaluation process includes input from teachers, administrators, students and parents/guardians from all grade levels, disciplines, schools, special programs and categories of students. The selection and evaluation of instructional materials shall be coordinated with the curriculum development and evaluation process.

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

The Superintendent or designee shall keep the Board informed about student interest and achievement in each area of the curriculum. The Superintendent or designee also shall facilitate the Board's efforts to discuss its findings with district staff and students before adopting the district curriculum.

Legal Reference:

EDUCATION CODE

221.5 Equal opportunity without regard to sex

35160 Authority of governing boards

35160.1 Broad authority of school districts

51050-51057 Enforcement of courses of study

51200-51263 Required courses of study, especially

51225.3 Requirements for high school graduation

51500-51551 Prohibited instruction

51720-51879.9 Authorized classes and courses of instruction

52160-52178 Bilingual-Bicultural Act

52200-52212 Mentally gifted and talented pupil program

52300-52414 Vocational education

54000-54028 Programs for disadvantaged pupils

54100-54145 Miller-Unruh Act of 1965

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56000-56865 Special education programs
GOVERNMENT CODE
3543.2 Scope of representation
CODE OF REGULATIONS, TITLE 5
4000-4091 School improvement programs
4304-4320 Bilingual education programs
4400-4426 Improvement of elementary and secondary education
Management Resources:
CDE PROGRAM ADVISORIES

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

Reference Number:

Document Title:

Document Location:

The Board of Trustees recognizes its responsibility to ensure accountability to the public for the performance of district schools. The Board shall regularly review the effectiveness of the district's programs, personnel, and fiscal operations, with a focus on the district's effectiveness in improving student achievement. The Board shall establish systems and processes to monitor results and to evaluate the district's progress toward accomplishing the district's vision and goals.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 0400 - Comprehensive Plans)

(cf. 2140 - Evaluation of the Superintendent)

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(cf. 3460 - Financial Accountability and Reports)

(cf. 4115 - Evaluation/Supervision)

(cf. 4215 - Evaluation/Supervision)

(cf. 4315 - Evaluation/Supervision)

(cf. 6011 - Academic Standards)

(cf. 6141 - Curriculum Development and Evaluation)

(cf. 6190 - Evaluation of the Instructional Program)

(cf. 9000 - Role of the Board)

(cf. 9005 - Governance Standards)

(cf. 9400 - Board Self-Evaluation)

The Board and the Superintendent shall agree upon appropriate measures of district, school, and student performance and shall establish a schedule for providing regular reports to the Board and the public regarding district progress.

(cf. 0510 - School Accountability Report Card)

(cf. 1100 - Communication with the Public)

(cf. 1112 - Media Relations)

Opportunities for feedback from students, parents/guardians, staff, and community members shall be made available as part of the review and evaluation of district programs and operations.

(cf. 6020 - Parent Involvement)

Schools are subject to intervention and support based on their ranking on the API and their ability to meet growth targets established by the State Board of Education; see BP/AR 0520 - Intervention for Underperforming Schools and BP/AR 0520.1 - High Priority Schools Grant Program. In addition, a school or district that receives federal Title I funds may be identified for program improvement if it does not meet AYP criteria for two consecutive years within specific areas; see BP/AR

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Description:

0520.2 - Title I Program Improvement Schools and BP/AR 0520.3 - Title I Program Improvement Districts.

Indicators of district progress in improving student achievement shall include, but not be limited to, the Academic Performance Index (API) established by the state's accountability system and measures of "adequate yearly progress" (AYP) required under the federal accountability system.

(cf. 0520 - Intervention for Underperforming Schools)

(cf. 0520.1 - High Priority Schools Grant Program)

(cf. 0520.2 - Title I Program Improvement Schools)

(cf. 0520.3 - Title I Program Improvement Districts)

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - Standardized Testing and Reporting Program)

(cf. 6162.52 - High School Exit Examination)

Following the annual publication of the API and school rankings by the Superintendent of Public Instruction, the Board shall, at a regularly scheduled meeting, discuss the results of each school's annual ranking. (Education Code 52056)

Education Code 52056 encourages but does not require Boards to discuss test results from the Standardized Testing and Reporting (STAR) program (Education Code 60640-60649) by school, grade, and the student subgroups listed in 20 USC 6311, including economically-disadvantaged students, students from major racial and ethnic groups, students with disabilities, and students with limited English proficiency. Pursuant to Education Code 60643, test contractors are required to provide disaggregated data for all those categories as well as gender.

The discussion of API and school rankings shall include an examination of scores from the Standardized Testing and Reporting (STAR) program, by school, grade, and student subgroup, including disaggregated data based on socioeconomic status, race/ethnicity, enrollment in special education, English proficiency, and gender.

(cf. 3553 - Free and Reduced Price Meals)

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Evaluation results may be used as a basis for identifying and developing strategies to address disparities in achievement among student subgroups, implementing programmatic changes, determining the need for additional support or assistance, awarding incentives or rewards, and establishing other performance-based consequences.

Legal Reference:

EDUCATION CODE

33127-33129 Standards and criteria for fiscal accountability

33400-33407 CDE evaluation of district programs

44660-44665 Evaluation of certificated employees

51041 Evaluation of the educational program

52050-52059 Public Schools Accountability Act

60640-60649 Standardized Testing and Reporting Program

CODE OF REGULATIONS, TITLE 5

15440-15463 Standards and criteria for fiscal accountability

UNITED STATES CODE, TITLE 20

6311 Accountability, adequate yearly progress

6312 Local educational agency plan

6316 School and district improvement

CODE OF FEDERAL REGULATIONS, TITLE 34

200.13-200.20 Adequate yearly progress

200.30-200.35 Identification of program improvement schools

200.36-200.38 Notification requirements

200.52-200.53 District improvement

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Management Resources:
CSBA PUBLICATIONS
Maximizing School Board Governance
WEB SITES
CSBA: <http://www.csba.org>
California Department of Education, Accountability: <http://www.cde.ca.gov/ta/ac>
U.S. Department of Education, No Child Left Behind: <http://www.nclb.gov>

7. Coordinated system of data collection and management:

Reference Number:

Document Title:

Document Location:

The Board of Trustees recognizes its responsibility to ensure accountability to the public for the performance of district schools. The Board shall regularly review the effectiveness of the district's programs, personnel, and fiscal operations, with a focus on the district's effectiveness in improving student achievement. The Board shall establish systems and processes to monitor results and to evaluate the district's progress toward accomplishing the district's vision and goals.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 0400 - Comprehensive Plans)

(cf. 2140 - Evaluation of the Superintendent)

(cf. 3460 - Financial Accountability and Reports)

(cf. 4115 - Evaluation/Supervision)

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(cf. 4215 - Evaluation/Supervision)

(cf. 4315 - Evaluation/Supervision)

(cf. 6011 - Academic Standards)

(cf. 6141 - Curriculum Development and Evaluation)

(cf. 6190 - Evaluation of the Instructional Program)

(cf. 9000 - Role of the Board)

(cf. 9005 - Governance Standards)

(cf. 9400 - Board Self-Evaluation)

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(cf. 0510 - School Accountability Report Card)

(cf. 1100 - Communication with the Public)

(cf. 1112 - Media Relations)

Opportunities for feedback from students, parents/guardians, staff, and community members shall be made available as part of the review and evaluation of district programs and operations.

(cf. 6020 - Parent Involvement)

Schools are subject to intervention and support based on their ranking on the API and their ability to meet growth targets established by the State Board of Education; see BP/AR 0520 - Intervention for Underperforming Schools and BP/AR 0520.1 - High Priority Schools Grant Program. In addition, a school or district that receives federal Title I funds may be identified for program improvement if it does not meet AYP criteria for two consecutive years within specific areas; see BP/AR 0520.2 - Title I Program Improvement Schools and BP/AR 0520.3 - Title I Program Improvement Districts.

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Description:

Indicators of district progress in improving student achievement shall include, but not be limited to, the Academic Performance Index (API) established by the state's accountability system and measures of "adequate yearly progress" (AYP) required under the federal accountability system.

(cf. 0520 - Intervention for Underperforming Schools)

(cf. 0520.1 - High Priority Schools Grant Program)

(cf. 0520.2 - Title I Program Improvement Schools)

(cf. 0520.3 - Title I Program Improvement Districts)

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - Standardized Testing and Reporting Program)

(cf. 6162.52 - High School Exit Examination)

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(cf. 3553 - Free and Reduced Price Meals)

Evaluation results may be used as a basis for identifying and developing strategies to address disparities in achievement among student

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subgroups, implementing programmatic changes, determining the need for additional support or assistance, awarding incentives or rewards, and establishing other performance-based consequences.

Legal Reference:

EDUCATION CODE

33127-33129 Standards and criteria for fiscal accountability

33400-33407 CDE evaluation of district programs

44660-44665 Evaluation of certificated employees

51041 Evaluation of the educational program

52050-52059 Public Schools Accountability Act

60640-60649 Standardized Testing and Reporting Program

CODE OF REGULATIONS, TITLE 5

15440-15463 Standards and criteria for fiscal accountability

UNITED STATES CODE, TITLE 20

6311 Accountability, adequate yearly progress

6312 Local educational agency plan

6316 School and district improvement

CODE OF FEDERAL REGULATIONS, TITLE 34

200.13-200.20 Adequate yearly progress

200.30-200.35 Identification of program improvement schools

200.36-200.38 Notification requirements

200.52-200.53 District improvement

Management Resources:

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CSBA PUBLICATIONS
Maximizing School Board Governance
WEB SITES
CSBA: <http://www.csba.org>
California Department of Education, Accountability: <http://www.cde.ca.gov/ta/ac>
U.S. Department of Education, No Child Left Behind: <http://www.nclb.gov>

8. Coordination of interagency agreements:

Reference Number:

Document Title:

Document Location:

Description:

9. Coordination of services to medical facilities:

Reference Number:

Document Title:

Document Location:

Description:

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

Reference Number:

Document Title:

Document Location:

The Board of Trustees recognizes that foster youth may face significant barriers to achieving academic success due to their family circumstances, disruption to their educational program, and their emotional, social, and other health needs. To enable such students to achieve state and district academic standards, the Superintendent or designee shall provide them with full access to the district's educational program and implement strategies identified as necessary for the improvement of the academic achievement of foster youth in the district's local control and accountability plan (LCAP).

(cf. 0460 - Local Control and Accountability Plan)

(cf. 3100 - Budget)

(cf. 5131.6 - Alcohol and other Drugs)

(cf. 5147 - Dropout Prevention)

(cf. 5149 - At-Risk Students)

(cf. 6011- Academic Standards)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

(cf. 6164.2 - Guidance/Counseling Services)

(cf. 6173 - Education for Homeless Children)

(cf. 6179 - Supplemental Instruction)

The Superintendent or designee shall ensure that placement decisions for foster youth are based on the students' best interests as defined in

law and administrative regulation. To that end, he/she shall designate a staff person as the district liaison for foster youth to help facilitate the enrollment, placement, and transfer of foster youth.

The Superintendent or designee and district liaison shall ensure that all appropriate staff, including, but not limited to, each principal, school registrar, and attendance clerk, receive training on the enrollment, placement, and transfer of foster youth and other related rights.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The Board of Trustees desires to provide foster youth with a safe, positive learning environment that is free from discrimination and harassment and that promotes students' self-esteem and academic achievement. The Superintendent or designee shall develop strategies to build a foster youth's feeling of connectedness with his/her school, including, but not limited to, strategies that promote positive discipline and conflict resolution, the development of resiliency and interpersonal skills, and the involvement of foster parents, group home administrators, and/or other caretakers in school programs and activities.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

To address the needs of foster youth and help ensure the maximum utilization of available funds, the Superintendent or designee shall collaborate with local agencies and officials including, but not limited to,

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the county placing agency, social services, probation officers, and juvenile court officers. The Superintendent or designee shall explore the feasibility of entering into agreements with these groups to coordinate services and protect the rights of foster youth.

(cf. 1020 - Youth Services)

At least annually and in accordance with the established timelines, the Superintendent or designee shall report to the Board on the outcomes for foster youth regarding the goals and specific actions identified in the LCAP, including, but not limited to, school attendance, student achievement test results, promotion and retention rates by grade level, graduation rates, and suspension/expulsion rates. As necessary, evaluation data shall be used to determine and recommend revisions to the LCAP for improving or increasing services for foster youth.

(cf. 0500 - Accountability)

(cf. 5123 - Promotion/Acceleration/Retention)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

(cf. 6162.51 - State Academic Achievement Tests)

(cf. 6162.52 - High School Exit Examination)

Legal Reference:

EDUCATION CODE

32228-32228.5 Student safety and violence prevention

42238.01-42238.07 Local control funding formula

42920-42925 Foster children educational services

48645-48646 Juvenile court schools

48850-48859 Educational placement of students residing in licensed children's institutions

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48915.5 Suspension and expulsion; students with disabilities, including foster youth

48918.1 Notice of expulsion hearing for foster youth

49061 Student records

49069.5 Foster care students, transfer of records

49076 Access to student records

51225.1 Exemption from district graduation requirements

51225.2 Pupil in foster care defined; acceptance of coursework, credits, retaking of course

51225.3 High school graduation

52060-52077 Local control and accountability plan

56055 Rights of foster parents in special education

60851 High school exit examination

HEALTH AND SAFETY CODE

1522.41 Training and certification of group home administrators

1529.2 Training of licensed foster parents

120341 Foster youth: school placement: immunization records

WELFARE AND INSTITUTIONS CODE

300 Children subject to jurisdiction

309 Investigation and release of child

317 Appointment of legal counsel

361 Limitations on parental or guardian control

366.27 Educational decision by relative providing living arrangements

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602 Minors violating law; ward of court
726 Limitations on parental or guardian control
727 Order of care, ward of court16000-16014 Foster care placement
UNITED STATES CODE, TITLE 20
1415 Procedural safeguards; placement in alternative educational setting
UNITED STATES CODE, TITLE 29
794 Rehabilitation Act of 1973, Section 504
UNITED STATES CODE. TITLE 42
670-679h Federal assistance for foster care programs11431-11435
McKinney-Vento Homeless Assistance Act

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

Reference Number:

Document Title:

Document Location:

The Board of Trustees desires to provide a free appropriate public education to all individuals with disabilities, aged 3 to 21 years, who reside in the district, including children who have been suspended or expelled or placed by the district in a nonpublic, nonsectarian school.

Students shall be referred for special education instruction and services only after the resources of the regular education program have been considered, and where appropriate, utilized. (Education Code 56303)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

(cf. 6146.4 - Differential Graduation and Competency Standards for

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Students with Disabilities)

(cf. 6159 - Individualized Education Program)

(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)

(cf. 6159.2 - Nonpublic Nonsectarian School and Agency Services for Special Education)

(cf. 6159.3 - Appointment of Surrogate Parent for Special Education Students)

(cf. 6159.4 - Behavioral Interventions for Special Education Students)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

(cf. 6164.6 - Identification and Education Under Section 504)

The special education local plan area (SELPA) shall administer a local plan and administer the allocation of funds. (Education Code 56195)

(cf. 1220 - Citizen Advisory Committees)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 3541.2 - Transportation for Students with Disabilities)

(cf. 4112.23 - Special Education Staff)

In order to meet the needs of individuals with disabilities and employ staff with adequate expertise for this purpose, the district participates as a member of the SELPA.

The Superintendent or designee shall extend the district's full cooperation to the SELPA. The policies and procedures of the SELPA shall be applied as policies and regulations of this district, with the exception of those that apply to complaints, unless the SELPA plan specifically authorizes the district to operate under its own policies and regulations.

Legal Reference:

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Description:

EDUCATION CODE

56000-56001 Education for individuals with exceptional needs

56020-56035 Definitions

56040-56046 General provisions

56048-56050 Surrogate parents

56055 Foster parents

56060-56063 Substitute teachers

56170-56177 Children enrolled in private schools

56190-56194 Community advisory committees

56195-56195.10 Local plans

56205-56208 Local plan requirements

56213 Special education local plan areas with small or sparse populations

56240-56245 Staff development

56300-56385 Identification and referral, assessment, instructional planning

56440-56447.1 Programs for individuals between the ages of three and five years

56500-56508 Procedural safeguards, including due process rights

56520-56524 Behavioral interventions

56600-56606 Evaluation, audits and information

56836-56836.05 Administration of local plan

GOVERNMENT CODE

7579.5 Surrogate parent, appointment, qualifications, liability

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95000-95029 California Early Intervention Services Act
WELFARE AND INSTITUTIONS CODE
361 Limitations on parental control
726 Limitations on parental control
CODE OF REGULATIONS, TITLE 5
3000-3089 Regulations governing special education
UNITED STATES CODE, TITLE 20
1400-1482 Individuals with Disabilities Education Act
UNITED STATES CODE, TITLE 29
794 Rehabilitation Act of 1973, Section 504
UNITED STATES CODE, TITLE 42
12101-12213 Americans with Disabilities Act
CODE OF FEDERAL REGULATIONS, TITLE 34
99.10-99.22 Inspection, review and procedures for amending education records
104.1-104.39 Section 504 of the Rehabilitation Act of 1973
300.1-300.818 Assistance to states for the education of children with disabilities, including:
300.500-300.520 Due process procedures for parents and children
303.1-303.654 Early intervention program for infants and toddlers with disabilities
Management Resources:
WEB SITES

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Fiscal Year

12. Fiscal and logistical support of the CAC:

Reference Number:

Document Title:

Document Location:

Compton USD | BP 6190 Instruction
Evaluation Of The Curriculum And Instructional Program
arrow Previous bar Next arrow
The Board of Trustees recognizes that it is accountable to the students, parents/guardians and community for conducting a continual evaluation of the curriculum and the instructional program.

The Superintendent or designee shall review the effectiveness of district programs in meeting desired outcomes. He/she shall provide the Board and the community regular reports on student progress toward Board-established standards of expected achievement at each grade level in each area of study. Based on these evaluations, the Board shall take appropriate actions to maintain the effectiveness of programs and, as needed, to improve the quality of education that district students receive.

(cf. 0500 - Accountability)

(cf. 0510 - School Accountability Report Card)

(cf. 9000 - Role of the Board)

Program Quality Reviews

Note: Pursuant to Education Code 64001, a review of the quality of the instructional program must be conducted once every three years at schools operating categorical programs designated in Education Code 64000. When so authorized by the Superintendent of Public Instruction,

these reviews may be conducted every four, five or six years instead. The CDE provides a training model for external consultants who assist the schools with this review. Policy language on this topic is optional.

The Superintendent or designee shall ensure that program quality reviews for the district schools are conducted in accordance with law. (Education Code 64001)

To prepare for a program quality review, the Superintendent or designee shall establish procedures by which a thorough self-study shall be conducted. The goal of the self-study shall be to provide accurate information about the curriculum and instructional program and their effectiveness in meeting student needs and district goals for the instructional program. This information shall be analyzed in comparison to quality criteria formulated by the California Department of Education, and a self-study summary shall be prepared for use during the program quality review. Evidence for the self study will be provided from the school in the form of student work, i.e. portfolios, test scores, staff meeting agendas, memorandums and documentation of student programs and school policies.

(cf. 6010 - Goals and Objectives)

Findings from the program quality review shall be consulted during Board evaluations of the instructional program and shall guide ongoing efforts to improve the quality of curriculum and instruction at each school.

Coordinated Compliance Reviews

Note: Pursuant to Education Code 64001, the CDE conducts coordinated compliance reviews of school districts on a four-year cycle to ensure that categorical programs are implemented effectively and in compliance with law. Many district policies and
The Superintendent or designee shall cooperate with the California Department of Education in the conduct of coordinated compliance reviews to ensure that all district categorical programs comply with federal and state laws and regulations. The Superintendent or designee shall notify the Board of the results of these reviews.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 0420 - School Plans/Site Councils)

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Description:

(cf. 0420.1 - School-Based Program Coordination)

(cf. 0420.2 - School Improvement Program)

(cf. 0420.3 - School-Based Student Motivation and Maintenance Program)

(cf. 1312. 3 - Uniform Complaint Procedures)

(cf. 4131.6 - Professional Development Program)

(cf. 6000 - Concepts and Roles)

(cf. 6141.2 - Recognition of Religious Beliefs and Customs)

(cf. 6171 - Title I Programs)

(cf. 6174 - Education for English Language Learners)

(cf. 6175 - Migrant Education Program)

(cf. 6178 - Vocational Education)

(cf. 6178.1 - Work Experience Education)

(cf. 6179 - Child Care and Development Programs)

Criteria for Evaluation of Consolidated Programs

Note: 5 CCR 3942 requires school districts to conduct an annual evaluation which demonstrates, under criteria established by the Board, that its consolidated programs are effective. The CDE requires these criteria to include specific indicators of student achievement such as the percentage of students who score at specific levels on specific tests. Evaluation criteria will therefore differ considerably from district to district, depending on what programs the district offers, what indicators of achievement it uses, and what scores would be recognized as improvement over previous scores.

The Superintendent or designee shall conduct annual evaluations to determine whether supplemental services provided by consolidated programs are effective and supportive of the core curriculum. As a basis for this evaluation, the Superintendent or designee shall recommend specific, measurable criteria which shall be used at each school and at the district level to evaluate student achievement and the effectiveness

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of each consolidated program. Measurable criteria may include, but not limited to, standardized test results, student work and student performance.

The Superintendent or designee shall submit these criteria for consideration by the Board. If desired, each school may establish additional evaluation criteria beyond these districtwide criteria. Evaluations conducted for each school shall be presented annually to the Board.

(cf. 0500 - Review and Evaluation)

(cf. 6000 - Concepts and Roles)

Legal Reference:

EDUCATION CODE

33400-33407 Educational evaluations (by CDE)

44662 Evaluation and assessment guidelines

51041 Education program, evaluation and revisions

51226 Model curriculum standards

51513 Personal beliefs

54650-54659 Education Improvement Incentive Program

62005.5 Failure to comply with purposes of funds

64000-64001 Consolidated Application Process

CODE OF REGULATIONS, TITLE 5

3930-3937 Program requirements

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3942 Continuity of funding
Management Resources:
CDE PUBLICATIONS
Guide and Criteria for Program Quality Review - Elementary, 1994
Guide and Criteria for Program Quality Review - Middle Level, 1994
Guide and Criteria for Program Quality Review - High School, 1995

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

Reference Number:

Document Title:

Document Location:

Description:

The Board of Trustees shall ensure that appropriate transportation services are provided for students with disabilities as specified in their individualized education program (IEP) or accommodation plan. The district shall make home-to-school transportation available for students at no cost to parents/guardians as specified in the student's IEP. The Superintendent or designee shall establish criteria and procedures for determining the most appropriate mode of transportation for an individual student based on identified needs as determined in the IEP or accommodation plan. The district shall make home-to-school transportation available for students at no cost to parents/guardians as specified in the student's IEP. The Superintendent or designee shall arrange transportation schedules so that students with disabilities do not spend an excessive amount of time on buses compared to other students. Arrivals and departures shall not reduce the length of the school day for these students except as may be prescribed on an individual basis. The Superintendent or designee shall establish procedures to ensure compatibility between mobile seating devices and bus securement systems.

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

Reference Number:

Document Title:

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Document Location:

Description:

15. Assurance of full educational opportunity:

Reference Number:

Document Title:

Document Location:

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effective implementation of district programs and policies. Comprehensive plans shall identify cohesive strategies for school improvement and provide stability in district operations.

The Superintendent or designee shall develop comprehensive plans for the implementation of the district's vision and goals, on specific policy topics and on other areas as required by law. As appropriate, comprehensive plans may describe, but not be limited to, anticipated short- and long-term needs, measurable outcomes, priorities, activities, available resources, timelines, staff responsibilities, and strategies for internal and external communications regarding the plan.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 0430 - Comprehensive Local Plan for Special Education)

(cf. 0440 - District Technology Plan)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 0500 - Accountability)

(cf. 1112 - Media Relations)

(cf. 2140 - Evaluation of the Superintendent)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

(cf. 3543 - Transportation Safety and Emergencies)

(cf. 4141.6/4241.6 - Concerted Action/Work Stoppage)

(cf. 6171 - Title I Programs)

(cf. 6190 - Evaluation of the Instructional Program)

(cf. 7110 - Facilities Master Plan)

Comprehensive plans may be subject to review and approval by the Board.

The process for developing comprehensive plans shall invite broad

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participation of school and community representatives. Committees may be appointed to assist in the development of plans. Comprehensive plans shall be available to the public and shall be reviewed at regular intervals as specified within the plan.

(cf. 0420.5 - School-Based Decision Making)

(cf. 1220 - Citizen Advisory Committees)

(cf. 2230 - Representative and Deliberative Groups)

(cf. 6020 - Parent Involvement)

(cf. 9130 - Board Committees)

In addition, school-level plans may be developed to meet the unique circumstances of individual school sites provided that they are consistent with law, district vision, Board policies, administrative regulations and districtwide plans. School plans may be subject to review and approval of the Superintendent or designee and/or the Board.

(cf. 0420 - School Plans/Site Councils)

(cf. 0420.1 - School-Based Program Coordination)

Legal Reference:

EDUCATION CODE

35035 Powers and duties of Superintendent

35291 Rules (power of governing board)

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Leadership: Vision, 1996

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

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education funding.

Reference Number:

Document Title:

Document Location:

The Board of Trustees desires to provide a free appropriate public education to all individuals with disabilities, aged 3 to 21 years, who reside in the district, including children who have been suspended or expelled or placed by the district in a nonpublic, nonsectarian school.

Students shall be referred for special education instruction and services only after the resources of the regular education program have been considered, and where appropriate, utilized. (Education Code 56303)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

(cf. 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities)

(cf. 6159 - Individualized Education Program)

(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)

(cf. 6159.2 - Nonpublic Nonsectarian School and Agency Services for Special Education)

(cf. 6159.3 - Appointment of Surrogate Parent for Special Education Students)

(cf. 6159.4 - Behavioral Interventions for Special Education Students)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

(cf. 6164.6 - Identification and Education Under Section 504)

The special education local plan area (SELPA) shall administer a local plan and administer the allocation of funds. (Education Code 56195)

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(cf. 1220 - Citizen Advisory Committees)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 3541.2 - Transportation for Students with Disabilities)

(cf. 4112.23 - Special Education Staff)

In order to meet the needs of individuals with disabilities and employ staff with adequate expertise for this purpose, the district participates as a member of the SELPA.

The Superintendent or designee shall extend the district's full cooperation to the SELPA. The policies and procedures of the SELPA shall be applied as policies and regulations of this district, with the exception of those that apply to complaints, unless the SELPA plan specifically authorizes the district to operate under its own policies and regulations.

Legal Reference:

EDUCATION CODE

56000-56001 Education for individuals with exceptional needs

56020-56035 Definitions

56040-56046 General provisions

56048-56050 Surrogate parents

56055 Foster parents

56060-56063 Substitute teachers

56170-56177 Children enrolled in private schools

56190-56194 Community advisory committees

56195-56195.10 Local plans

56205-56208 Local plan requirements

56213 Special education local plan areas with small or sparse

Description:

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populations

56240-56245 Staff development

56300-56385 Identification and referral, assessment, instructional planning

56440-56447.1 Programs for individuals between the ages of three and five years

56500-56508 Procedural safeguards, including due process rights

56520-56524 Behavioral interventions

56600-56606 Evaluation, audits and information

56836-56836.05 Administration of local plan

GOVERNMENT CODE

7579.5 Surrogate parent, appointment, qualifications, liability

95000-95029 California Early Intervention Services Act

WELFARE AND INSTITUTIONS CODE

361 Limitations on parental control

726 Limitations on parental control

CODE OF REGULATIONS, TITLE 5

3000-3089 Regulations governing special education

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29

794 Rehabilitation Act of 1973, Section 504

UNITED STATES CODE, TITLE 42

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12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 34

99.10-99.22 Inspection, review and procedures for amending education records

104.1-104.39 Section 504 of the Rehabilitation Act of 1973

300.1-300.818 Assistance to states for the education of children with disabilities, including:

300.500-300.520 Due process procedures for parents and children

303.1-303.654 Early intervention program for infants and toddlers with disabilities

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

Reference Number:

Document Title:

Document Location:

Description:

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development.
Assists in the evaluation of program effectiveness.
Assists in placing children in nonpublic schools.
Assists in Facilitated IEP Meetings and Alternate Dispute Resolution Panel.
Assists in Due Process Hearings.
Attends Board of Education meetings as requested.
Performs other related duties assigned by the SELPA Director.
Works with other departments and school sites to assure the alignment of the curriculum between the general education program and the curriculum offered in Special Education classrooms.

Special Education Local Plan Area Services

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

Reference Number:

Document Title:

Document Location:

Students with disabilities shall be placed in the least restrictive environment which meets their needs. The Governing Board provides a full range of educational alternatives to facilitate this placement so that these students may interact with students without disabilities in an understanding, cooperative and mutually respectful environment. Students shall be placed outside of the regular classroom only when the student's specific needs cannot be met in that setting.

Upon the identification of a student's disabilities, the Superintendent or designee shall appoint an individualized education program (IEP) team. This team shall consider the student's needs, determine the content of his/her IEP and make placement decisions. Students and parents/guardians shall have the right to participate in the development of the IEP in accordance with law.

(cf. 6164.4 - Identification of Individuals for Special Education)

(cf. 6164.6 - Identification and Education under Section 504)

Note: IEP teams should be aware of Sacramento City School District v.

Rachel H. in which it was determined that when addressing the issue of appropriate placement for a child with disabilities under federal law, the court may balance the following factors: (1) the educational benefits of placement full-time in a regular class; (2) the nonacademic benefits of such a placement; (3) the student's effect on the teacher and children in the regular class; and (4) the costs of mainstreaming the student. The IEP team shall consider the factors specified in law and administrative regulation, as well as the educational and nonacademic benefits of placing the student in a regular class. The IEP team shall determine what support services would be needed in order to maintain this placement. All placement decisions should promote maximum social interaction between students with disabilities and their nondisabled peers, in a manner that is appropriate to the needs of each.

Each IEP shall be consistent with the curriculum and course of study pursued in the regular education program. Students with disabilities should also receive instruction which fosters their independence and integration into the community.

(cf. 6143 - Courses of Study)

Students and parents/guardians shall have the right to approve the student's placement in a special education program, and written parental consent shall be obtained before any such placement is made unless a due process hearing officer authorizes the placement. Once an IEP team has determined an appropriate placement with the parent/guardian's approval, that placement remains in effect unless the parties agree otherwise or a due process hearing officer so orders.

Note: Education Code 56195.8 mandates entities providing special education to adopt a policy calling for the review, at a regular or special education teacher's request, of the assignment of an individual with disabilities to his/her class and a mandatory meeting of the IEP team if the review indicates a change is necessary in the student's placement, instruction and/or related services. See the accompanying administrative regulation.

A special education or regular education teacher may request a review of the classroom assignment of an student with disabilities in accordance with procedures set forth in administrative regulations.

(cf. 0430 - Comprehensive Local Plan for Special Education)

(cf. 1312.3 - Uniform Complaint Procedures)

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Description:

(cf. 3541.2 - Transportation for Students with Disabilities)

(cf. 4112.23 - Special Education Staff)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

(cf. 6146.4 - Differential Graduation and Competency Standards for Individuals with Exceptional Needs)

(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)

(cf. 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education)

(cf. 6159.3 - Appointment of Surrogate Parent for Special Education Students)

Legal Reference:

EDUCATION CODE

51225.3 Requirements for high school graduation and diploma

56136 Guidelines for low incidence disabilities areas

56195.8 Adoption of policies

56321 Development or revision of IEP

56321.5 Notice to include right to electronically record

56340-56347 Instructional planning and individualized education program

56352 Determination of appropriate reading medium

56375-56378 Certificate of completion, special education

56380 IEP reviews; notice of right to request

56500-56508 Procedural safeguards

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60640-60647 Standardized Testing and Reporting Program

60850 High school exit examination, students with disabilities

FAMILY CODE

6500 Age of majority

GOVERNMENT CODE

7572.5 Seriously emotionally disturbed child, expanded IEP team

CODE OF REGULATIONS, TITLE 5

3021-3029 Identification, referral and assessment

3040-3043 Instructional Planning and the Individualized education program

3068 Review of individualized education program

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act of 1974

1400-1487 Individuals with Disabilities Education Act

CODE OF FEDERAL REGULATIONS, TITLE 34

300.1-300.818 Individuals with Disabilities Education Act

COURT DECISIONS

Sacramento City School District v. Rachel H, 14 F.3d 1398 (9th Cir. 1994)

Management Resources:

FEDERAL REGISTER

Rules and Regulations, August 14, 2006, Vol. 71, Number 156, page 46539-46845

2. A description of the method by which members of the public, including parents or guardians of

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individuals with exceptional needs who are receiving services under the local plan, may address questions or concerns to the SELPA governing body or individual administrator:

Reference Number:

Document Title:

Document Location:

Procedural Safeguards/Due Process Hearings

In order to protect the rights of students with disabilities and their parents/guardians, the district shall follow all procedural safeguards as set forth in law.

Parents/guardians shall receive written notice of their rights, including the right to a due process hearing for any dispute related to the identification, assessment or educational placement of a child or the provision of a free, appropriate public education to the child.

(cf. 5145.6 - Parental Notifications)

(cf. 6159 - Individualized Education Program)

The Superintendent or designee shall represent the district in any due process hearings conducted with regard to district students and shall provide the Board of Trustees with the results of these hearings.

Complaints for Special Education

Note: A complaint, which can be made by anyone, is an allegation of a violation of state or federal law.

Complaints concerning compliance with state or federal law regarding special education shall be addressed in accordance with the district's uniform complaint procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

Legal Reference:

EDUCATION CODE

56000 Education for individuals with exceptional needs

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Description:

56001 Provision of the special education programs

56020-56035 Definitions

56195.7 Written agreements

56195.8 Adoption of policies for programs and services

56300-56381 Identification and referral, assessment, instructional planning, implementation, and review

56440-56447.1 Programs for individuals between the ages of three and five years

56500-56507 Procedural safeguards, including due process rights

56600-56606 Evaluation, audits and information

CODE OF REGULATIONS, TITLE 5

3000-3089 Regulations governing special education

4600-4671 Uniform complaint procedures

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act

CODE OF FEDERAL REGULATIONS, TITLE 34

99.10-99.22 Inspection, review and procedures for amending education records

104.36 Procedural safeguards

300.500-300.517 Due process procedures for parents and children

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

Reference Number:

Document Title:

Document Location:

Procedural Safeguards/Due Process Hearings

In order to protect the rights of students with disabilities and their parents/guardians, the district shall follow all procedural safeguards as set forth in law.

Parents/guardians shall receive written notice of their rights, including the right to a due process hearing for any dispute related to the identification, assessment or educational placement of a child or the provision of a free, appropriate public education to the child.

(cf. 5145.6 - Parental Notifications)

(cf. 6159 - Individualized Education Program)

The Superintendent or designee shall represent the district in any due process hearings conducted with regard to district students and shall provide the Board of Trustees with the results of these hearings.

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(cf. 1312.3 - Uniform Complaint Procedures)

Legal Reference:

EDUCATION CODE

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Description:

56000 Education for individuals with exceptional needs

56001 Provision of the special education programs

56020-56035 Definitions

56195.7 Written agreements

56195.8 Adoption of policies for programs and services

56300-56381 Identification and referral, assessment, instructional planning, implementation, and review

56440-56447.1 Programs for individuals between the ages of three and five years

56500-56507 Procedural safeguards, including due process rights

56600-56606 Evaluation, audits and information

CODE OF REGULATIONS, TITLE 5

3000-3089 Regulations governing special education

4600-4671 Uniform complaint procedures

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act

CODE OF FEDERAL REGULATIONS, TITLE 34

99.10-99.22 Inspection, review and procedures for amending education records

104.36 Procedural safeguards

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

Reference Number:

Document Title:

Document Location:

Note: Identification, evaluation, assessment and instructional planning procedures for children younger than age three must conform with Education Code 56425-56431 and the California Early Intervention Services Act (Government Code 95000-95029). The CDE and local education agencies are responsible for providing early intervention services to infants and toddlers who have visual, hearing or severe orthopedic impairment; the Department of Developmental Services and its regional centers must provide services to all other eligible children in this age group. The law also requires regional centers and local education agencies to coordinate family service plans for infants and toddlers and their families. Education Code 56441.11 sets forth eligibility criteria for preschool children ages three to five.

The Board of Trustees recognizes the need to actively seek out and evaluate residents from birth through age 21 within the district who have disabilities in order to provide them with appropriate educational opportunities in accordance with state and federal law.

(cf. 0430 - Comprehensive Local Plan for Special Education)

(cf. 6164.6 - Identification and Education under Section 504)

Note: The Individuals with Disabilities Education Act, (IDEA) 20 USC 1412(a)(3) and 34 CFR 300.125, requires that this "child find" identification system include identification of students with disabilities attending private schools, including religious-school children residing within the district, and highly mobile children with disabilities, such as migrant and homeless children.

The Superintendent or designee shall develop a method to ensure that all children residing within the district are currently receiving needed special education and related services. In addition, the Superintendent

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

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

For assessment purposes, staff shall use appropriate tests to identify specific information about the student's abilities in skill areas. In addition, staff shall use multiple measures, including direct observation, to study the effect of interventions or modifications to the regular instructional program. Staff also may consider the student's personal history, development and adaptive behavior.

Note: Education Code 56351 requires that opportunities for Braille instruction by appropriately credentialed teachers be given to students who may need it as a reading medium. Each visually impaired student must be given the opportunity for an assessment to determine his/her appropriate reading medium or media, including Braille, and an assessment of Braille skills is required for functionally blind students.

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

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 3541.2 - Transportation for Students with Disabilities)

(cf. 4112.23 - Special Education Staff)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

(cf. 5145.6 - Parental Notifications)

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Description:

(cf. 6159 - Individualized Education Program)

(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)

(cf. 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education)

(cf. 6159.3 - Appointment of Surrogate Parent for Special Education Students)

(cf. 6162.5 - Student Assessment)

Legal Reference:

EDUCATION CODE

44265.5 Professional preparation for teachers of impaired students

56000-56001 Special education programs

56026 Individuals with disabilities

56026.5 Low incidence disability

56029 Referral for assessment

56136 Guidelines for low disability areas

56300-56303 Identification of individuals with disabilities

56320-56329 Assessment

56333-56338 Eligibility criteria

56339 Attention deficit and hyperactivity disorders

56340-56347 Instructional planning and individualized education program

56350-56352 IEP for visually impaired students

56381 Reassessment of students

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56425-56432 Early education for individuals with disabilities

56441.11 Eligibility criteria, children 3 to 5 years old

56445 Transition to grade school; reassessment

56500-56508 Procedural safeguards

GOVERNMENT CODE

95000-95029 California Early Intervention Services Act

CODE OF REGULATIONS, TITLE 5

3021-3029 Identification, Referral and Assessment

3030-3031 Eligibility criteria

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act of 1974

1412 State eligibility

1415 Procedural safeguards

CODE OF FEDERAL REGULATIONS, TITLE 34

104.35 Evaluation and placement

104.36 Procedural safeguards

300.1-300.756 Assistance to states for the education of students with disabilities

COURT DECISIONS

Agostini v. Felton, (1997) 521 U.S. 203, 117 S.Ct. 1997

Management Resources:

FEDERAL REGISTER

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34 CFR 300.a Appendix A to Part 300 - Questions and Answers
34 CFR 300a1 Attachment 1: Analysis of Comments and Changes
Policy COMPTON UNIFIED SCHOOL DISTRICT

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

Reference Number:

Document Title:

Document Location:

Note: Identification, evaluation, assessment and instructional planning procedures for children younger than age three must conform with Education Code 56425-56431 and the California Early Intervention Services Act (Government Code 95000-95029). The CDE and local education agencies are responsible for providing early intervention services to infants and toddlers who have visual, hearing or severe orthopedic impairment; the Department of Developmental Services and its regional centers must provide services to all other eligible children in this age group. The law also requires regional centers and local education agencies to coordinate family service plans for infants and toddlers and their families. Education Code 56441.11 sets forth eligibility criteria for preschool children ages three to five.

The Board of Trustees recognizes the need to actively seek out and evaluate residents from birth through age 21 within the district who have disabilities in order to provide them with appropriate educational opportunities in accordance with state and federal law.

(cf. 0430 - Comprehensive Local Plan for Special Education)

(cf. 6164.6 - Identification and Education under Section 504)

Note: The Individuals with Disabilities Education Act, (IDEA) 20 USC 1412(a)(3) and 34 CFR 300.125, requires that this "child find" identification system include identification of students with disabilities attending private schools, including religious-school children residing

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within the district, and highly mobile children with disabilities, such as migrant and homeless children.

The Superintendent or designee shall develop a method to ensure that all children residing within the district are currently receiving needed special education and related services. In addition, the Superintendent or designee shall consult with appropriate representatives of private school children with disabilities on how to identify, locate and evaluate these children. (20 USC 1412(a)(3); 34 CFR 300.451)

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

For assessment purposes, staff shall use appropriate tests to identify specific information about the student's abilities in skill areas. In addition, staff shall use multiple measures, including direct observation, to study the effect of interventions or modifications to the regular instructional program. Staff also may consider the student's personal history, development and adaptive behavior.

Note: Education Code 56351 requires that opportunities for Braille instruction by appropriately credentialed teachers be given to students who may need it as a reading medium. Each visually impaired student must be given the opportunity for an assessment to determine his/her appropriate reading medium or media, including Braille, and an assessment of Braille skills is required for functionally blind students.

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

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 3541.2 - Transportation for Students with Disabilities)

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Description:

(cf. 4112.23 - Special Education Staff)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

(cf. 5145.6 - Parental Notifications)

(cf. 6159 - Individualized Education Program)

(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)

(cf. 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education)

(cf. 6159.3 - Appointment of Surrogate Parent for Special Education Students)

(cf. 6162.5 - Student Assessment)

Legal Reference:

EDUCATION CODE

44265.5 Professional preparation for teachers of impaired students

56000-56001 Special education programs

56026 Individuals with disabilities

56026.5 Low incidence disability

56029 Referral for assessment

56136 Guidelines for low disability areas

56300-56303 Identification of individuals with disabilities

56320-56329 Assessment

56333-56338 Eligibility criteria

56339 Attention deficit and hyperactivity disorders

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56340-56347 Instructional planning and individualized education program

56350-56352 IEP for visually impaired students

56381 Reassessment of students

56425-56432 Early education for individuals with disabilities

56441.11 Eligibility criteria, children 3 to 5 years old

56445 Transition to grade school; reassessment

56500-56508 Procedural safeguards

GOVERNMENT CODE

95000-95029 California Early Intervention Services Act

CODE OF REGULATIONS, TITLE 5

3021-3029 Identification, Referral and Assessment

3030-3031 Eligibility criteria

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act of 1974

1412 State eligibility

1415 Procedural safeguards

CODE OF FEDERAL REGULATIONS, TITLE 34

104.35 Evaluation and placement

104.36 Procedural safeguards

300.1-300.756 Assistance to states for the education of students with disabilities

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Agostini v. Felton, (1997) 521 U.S. 203, 117 S.Ct. 1997
Management Resources:
FEDERAL REGISTER
34 CFR 300.a Appendix A to Part 300 - Questions and Answers
34 CFR 300a1 Attachment 1: Analysis of Comments and Changes
Policy COMPTON UNIFIED SCHOOL DISTRICT

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

The obligation to make FAPE available extends to those otherwise-eligible adults in county jail, age 18 to 21, who: (a) had been identified as a child with a disability and had received services in accordance with an IEP, but left school prior to their incarceration; or (b) did not have an IEP in their last educational setting, but had actually been identified as a child with a disability. (*EC Section 56040*)

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

Reference Number:

Document Title:

Document Location:

Adults (aged 18 to 21 years) incarcerated in California adult jails and prisons who are entitled to a Free Appropriate Public Education (FAPE) if they meet the following criteria: (1) not graduated with a high school diploma; (2) at the time they turned 18, were identified as an individual with exceptional needs and had an Individualized Education Program (IEP) under the IDEA. However, an individual who was not identified as an individual with exceptional needs or did not have an IEP under the IDEA in the educational placement prior to his or her incarceration in an adult correctional facility is not entitled to a FAPE.

SELPA

Fiscal Year

Description:

In December 2013, the California Supreme Court unanimously ruled in LAUSD v. Garcia that, under EC §56041, the school district where the pupil's parent resides is responsible for providing special education and related services to a qualifying individual who is incarcerated in a county jail. This decision means that every school district in California can be held responsible to provide, or contract to provide, special education and related services to eligible incarcerated young adults if the youth's parent resides in the district, even if the student is incarcerated outside of the school district's boundaries. This includes obligations for all of the rights afforded by the IDEA and related state law including child find/ search and serve, the provision of FAPE in the least restrictive environment (LRE), and the right to due process. The following special education requirements do not apply to eligible individuals who are convicted as adults under State law and incarcerated in adult prisons:

- A. The requirements relating to participation in general assessments; eligible individuals incarcerated in adult prisons are exempted from participation in state and district- wide assessment programs under the IDEA.
- B. The requirements relating to transition planning and transition services do not apply with respect to such individuals whose eligibility under the IDEA will end because of their age before he or she will be released from prison.
- C. The IEP Team may modify the individual's IEP or placement notwithstanding the LRE requirements and the IEP contents requirements if there is a bona fide security or compelling legal interest that cannot otherwise be accommodated.