

# TEMECULA VALLEY UNIFIED SCHOOL DISTRICT

## Special Education Local Plan



Temecula Valley Unified  
**SELPA**

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# TEMECULA VALLEY UNIFIED SCHOOL DISTRICT SPECIAL EDUCATION LOCAL PLAN AREA LOCAL PLAN CONTENTS

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## **GEOGRAPHIC SERVICE**

Temecula Valley SELPA is a single district SELPA located on the south end of Riverside County bordering San Diego County. There are approximately four thousand three hundred (4,300) students with disabilities enrolled in the district, ages 3-22 years.

Temecula Valley SELPA students reside within the Temecula area, southern parts of Murrieta, and southeastern parts of Winchester.

## **GOVERNANCE AND ADMINISTRATIVE STRUCTURE**

TVUSD is a single-district SELPA, the Governing Board is the sole policy making entity for the SELPA. Approval of the Local Plan, TVUSD policies, budget, and employment of SELPA personnel regularly occur at scheduled public meetings of the Governing Board. The oversight and operations of the SELPA will be shared by the SELPA Director and other administrators of TVUSD. The SELPA Director shall provide regularly scheduled reports to the Governing Board relating to the operation of the SELPA. The SELPA shall include all school sites located within TVUSD and will serve all eligible individuals with exceptional needs residing within the boundaries of the TVUSD, or attending its programs under other authorization, through 22 years old.

TVUSD is designated as its own Administrative Unit (AU) for the SELPA. It shall be responsible for administrative functions including, but not limited to, the following: receipt and distribution of special education funds to TVUSD accounts for the operation of special education programs and services, receipt and distribution of special education funds to accounts exclusively designated for SELPA use, and the employment of necessary staff to support SELPA functions. The Board is the governing body of TVUSD and the SELPA. The members of the Governing Board are elected public officials.

### **RESPONSIBILITIES OF THE GOVERNING BOARD**

- Approve the Local Plan
- Approve the annual budget and service plans
- Adopt TVUSD policies relating to special education
- Set priorities for the Local Plan
- Participate in the governance of the District through its designated representative, the Director of the SELPA.
- Appoint members of the Community Advisory Committee
- Ensure compliance with all elements of the Local Plan

Temecula Valley Unified School District has more than 26,000 pupils. The District offers the full continuum of special education programs and services. The Governing Board of the District elects to operate as a single district SELPA, and as such, it is the governing body of this Plan and is solely responsible for the development and approval of policies governing this Local Plan for special education.

### **RESPONSIBILITIES OF THE LOCAL AGENCY**

The responsibilities of TVUSD as the Responsible Local Agency shall include but are not limited to:

- Employment of all SELPA staff and using district adopted employment and evaluation procedures
- Receipt and allocation of regionalized services, funds, and the provisions of administrative support
- Employment and evaluation of the SELPA Staff.
- It shall be the responsibility of the Superintendent to evaluate the SELPA Director or persons designated to serve that role.
- Upon recommendations of the Superintendent, the local governing board of TVUSD is responsible for approving the annual service and budget plans. The development of the annual service and budget plans shall coincide with the Local Agency budget process.
- The local agency will also see Implementation of policies and procedure for special education programs and services provided in the Temecula Valley Unified School District Special Education Local Plan Area, according to the Local Plan and local Governing Board's direction. Such policies and procedures shall include, but not be limited to, all areas specified in applicable sections of the Education Code.

#### RESPONSIBILITIES OF THE SUPERINTENDENT

The Superintendent has the executive responsibility for the implementation and operation of this Local Plan for Special Education and is directly responsible to the elected officials of the Temecula Valley Unified School District Board of Education. The Assistant Superintendent of Educational Support Services shall serve as the Superintendent's Designee and as such shall fulfill all executive responsibilities.

#### RESPONSIBILITIES OF THE ASSISTANT SUPERINTENDENT

- Act as a chief administrative officer of the school district and in this capacity, is responsible to develop and administer procedures that implement the Board's policies.
- Review proposed policies
- Review planning documents and annual reports related to present and future services and programs of the Local Plan
- Review the efficiency of resource allocations such as personnel, facilities, and equipment
- Delegate the responsibilities to the Assistant Directors of Special Education. Coordinate with other Departments through Executive Cabinet meetings with all other Directors of Programs, Assistant Superintendents, and the Superintendent.

## RESPONSIBILITIES OF THE DIRECTOR/ASSISTANT DIRECTOR(S) OF SPECIAL EDUCATION

- Directly responsible for the daily operation of the District special education program and services. The Assistant Director (s) report directly to, and are evaluated by the Assistant Superintendent of Educational Support Services
- Ensure the local plan is implemented and make recommendations to the Superintendent's Council when revisions are needed. The Superintendent's Council must meet regularly according to the Brown Act. Members of the public may address questions and concerns to the council at these scheduled meetings.
- The Director(s) of Special Education, other SELPA Administrators, with the assistance of the SELPA Accountant, SELPA Advisory Committee, and Local Agency, shall be responsible to prepare all program and fiscal reports required of the SELPA by the state
- Develop and facilitate approval of SELPA Policies.
- Recruit, train, and provide guidance for specialized staff operating programs and implementing IEPs
- Develop/maintain a staffing plan within the budget framework
- Provide instructional leadership in the development of quality programs and services that align with the District's strategic plan and students' IEPs
- Provide technical assistance to school site administrators on IEP development and implementation, compliance and due process issues
- Provide directions, supervision, and evaluation to program specialists and support staff directly assigned to the special education office
- Assist in the informal resolution of complaints and due process issue
- Develop the annual budget and service plan with the assistance of the SELPA Accountant to appropriately allocate resources, monitor the use of state, federal, and local funds for special education programs
- Develop policies, procedures and guidelines for the implementation of state and federal statute special education requirements
- Coordinate the development and implementation of the special education program and student outcomes, and the annual accountability procedures
- Serve as liaison to the Community Advisory Committee
- Monitor compliance with state and federal laws
- Prepare and submit any and all state waiver requests that are needed to allow for the provision of appropriate programs and services to students with disabilities within the SELPA
- Prepare and submit all program and fiscal reports for the SELPA with the assistance of the SELPA Accountant and with the assistance of the SELPA Database Specialist manage CASEMIS data system to comply with all state requirements
- Ensure the provision of services of students with disabilities in charter schools and other alternative programs
- Assume oversight for the implementation, revisions of all Interagency Agreements, and Memorandums of Understanding operated by the District
- Implement the local plan including a coordination of services to licensed children's facilities and foster family homes.

- Provide fiscal and logistical support CAC meetings, events, and trainings.

#### REPOSIBILITIES OF PROGRAM SPECIALISTS/COORDINATOR OF SPECIAL EDUCATION

- Assigned to all elementary and secondary service
- Responsible for supervision, problem solving, legal support, staff development and curricular support
- Attends IEP and ISP meetings, including those at nonpublic, residential treatment centers, and nonsectarian schools, to help teachers plan programs, arrange for materials and equipment, and assists in evaluating the effectiveness of special education programs and services
- Oversees and evaluates the effectiveness and appropriateness of nonpublic and residential treatment centers, as well as nonpublic agency service providers
- Provides services to children in all disability categories and all continuums of service categories, to ensure full educational opportunity
- Hold valid credentials, have advanced training, and have specialized, in-depth knowledge in disability areas as well as additional desirable qualifications.
- Supervised by the Director/Assistant Director(s)
- Consults and assists specialists, designated instruction and services, special day class teachers, and administrators.
- Serves as a member of IEP team, monitors and assists with the referral, assessment and identification of special needs children. The program specialist participates as a team member at IEP meetings and assumes leadership in the development and periodic revision of goals and objectives on the IEP
- Consults and assists with the District's Transition and Workability programs, alternative education programs, and preschool programs
- Coordination of Mental Health Services
- Coordination of Itinerant Resource Services
- Residential and Non-public School (NPS) placements
- Liaison to Community Advisory Council. Ensures CAC provides informative presentations at some CAC meetings to provide parent education.
- Monitoring Special Education student's individual education plans
- Assist parents with understanding their Procedural Safeguards, ensuring they understand Due Process procedures, as well as facilitate Alternative Dispute Resolution sessions.
- Assist as a liaison to various community agencies such as Department of Mental Health, Department of Human Services, Inland Regional Center of Riverside, Children Services and the Probation Department.

## RESPONSIBILITIES OF THE SELPA ACCOUNTANT

- The accountant assumes the responsibility for special education budgetary processing and report compilation
- The accountant and SELPA director(s) work closely on all special education budget matters.

## RESPONSIBILITIES OF THE CLERICAL STAFF

- Serve as support to the SELPA director(s) and program specialists/coordinators
- Administrative assistant duties require planning, organization, and good communication.
- Coordination and execution of purchasing requests, developing contracts with outside agencies, report compilation and documentation, assisting the public, assigning home hospital teachers for students who are ill and temporarily unable to attend school, students who have been expelled, and special education students awaiting school board rulings on expulsion; extended year program scheduling and providing extended year teachers with necessary IEP information for the students
- Creating forms, letters, handbooks, etc., and clerical support for the SELPA Program Specialists/Coordinators.
- Database & Software Specialist is responsible for the data input for implementing the California Special Education Management Information System (CASEMIS). Software that is mandated by the California Department of Education is used to process semi-annual pupil count report, tracking data for the district psychologists' initial and three-year assessments, speech and language therapist tracking lists, Infinite Campus student data information, maintenance of records to include records requests, and assisting the SELPA director, coordinators, and program specialists as needed.

## **GOVERNANCE, STRUCTURE AND ADMINISTRATIVE SUPPORT**

TVUSD, 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 by Temecula Valley Unified School District Special Education Local Plan Area (TVUSD SELPA).

## **REGIONALIZED SERVICES**

The Temecula Valley Unified School District receives funding from the state for the Local Plan Area. The District coordinates and provides services within the District using these resources, local contributions, and federal funds allocated for special education. Students eligible for special education services provided within the region are defined as those students physically residing within the geographic boundaries of the District, students who are granted inter-district

transfers, and students attending charter schools sponsored by the District.

The concept of regional services is to provide a continuum of options necessary to ensure appropriate special education services to students with disabilities are available. The District will coordinate with the Riverside County Office of Education for those students who require regionalized services offered outside the District, or to provide other necessary and appropriate services not available in the District.

"Regionalized services" does not mean that every service and placement required for students with disabilities must be available at each site. The concept of regionalized services is to ensure that, even for those services that are less frequently needed, the services will be available within the District or region at District expense. It further means that the District is responsible to provide those services required by a child's Individual Education Program (IEP). Transportation is provided for any such student to receive those services who is not on an inter-district transfer at the parent request, or attending a charter school.

The District will coordinate and collaborate with the Riverside County Office of Education for services for children whose service needs cannot be met within the District, and who are served instead in regionally-operated programs. Such students will be provided FAPE.

Individuals with exceptional needs who are placed in a public hospital, state licensed children's hospital, psychiatric hospital, proprietary hospital, or a health facility for medical purposes are the educational responsibility of the local agency in which the hospital or facility is located.

## ROLE OF THE COUNTY OFFICE OF EDUCATION (COE)

Other public agencies are also responsible for the provision of services to some students with disabilities and their families. The TVUSD SELPA participates with the other Special Education Local Plan Areas (SELPAS) and the Riverside County Office of Education to ensure that eligible special education students receive appropriate related services from designated agencies as outlined in their Individualized Education Programs.

Interagency Agreements outline how students access services, define service delivery, case management, and fiscal responsibility. Interagency agreements are developed and maintained when necessary and appropriate.

The SELPA shall monitor the statutory timelines to ensure that services are provided without delays and the services are delivered consistent with the Interagency Agreements. When another agency fails to provide the service in accordance with the IEP, the Superintendent/designee shall ensure that the district provides the service

Per Ed Code 56140, county offices shall do all of the following:

- (a) Initiate and submit to the Superintendent a countywide plan for special education that demonstrates the coordination of all local plans submitted pursuant to Section 56205



and that ensures that all individuals with exceptional needs residing within the county, including those enrolled in alternative education programs, including, but not limited to, alternative schools, charter schools, opportunity schools and classes, community day schools operated by districts, community schools operated by county offices of education, and juvenile court schools, will have access to appropriate special education programs and related services. However, a county office shall not be required to submit a countywide plan when all the districts within the county elect to submit a single local plan.

- (b) Within 45 days, approve or disapprove any proposed local plan submitted by a district or group of districts within the county or counties. If approved, the county office shall submit the plan with comments and recommendations to the Superintendent. If disapproved, the county office shall return the plan with comments and recommendations to the district. The district may immediately appeal to the Superintendent to overrule the county office's disapproval. The Superintendent shall make a decision on an appeal within 30 days of receipt of the appeal. A local plan shall not be implemented without approval of the plan by the county office or a decision by the Superintendent to overrule the disapproval of the county office.

Approval shall be based on the capacity of the district or districts to ensure that special education programs and services are provided to all individuals with exceptional needs, and both of the following:

- (1) Whether the local plan adheres to the guidelines established pursuant to Section 56122 for the development of local plans.
- (2) Whether the local plan contains all of the required components as detailed in Section 56205.
- (3) Participate in the state onsite review of the district's implementation of an approved local plan.
- (4) Join with districts in the county that elect to submit a plan or plans pursuant to subdivision (c) of Section 56195.1. Any plan may include more than one county, and districts located in more than one county. Nothing in this subdivision shall be construed to limit the authority of a county office to enter into other agreements with these districts and other districts to provide services relating to the education of individuals with exceptional needs.
- (5) For each special education local plan area located within the jurisdiction of the county office of education that has submitted a revised local plan pursuant to Section 56836.03, the county office shall comply with Section 48850, as it relates to individuals with exceptional needs, by making available to agencies that place children in licensed children's institutions

## **SELPA POLICIES REGARDING CHARTER SCHOOLS**

TVUSD does not currently include a charter school. If a charter school were to be included within our SELPA, TVUSD would adhere to: RESPONSIBILITIES OF SUPERINTENDENTS

(Education Code 56205(a)(12 (D)(i), 56195.1, 56205(b)) The superintendents of each participating local education agency, or chief official in the case of a Charter School approved as a Local Educational Agency by the SELPA Superintendents' Council, shall be responsible for special education programs operated by the agency and for implementing all requirements of the Local Plan. A charter school that operates as its own local education agency for special education purposes shall participate in the governance of the SELPA in the same manner as all local education agencies.

## **REPRESENTATION AND PARTICIPATION OF THE SELPA COMMUNITY**

### **ADVISORY COMMITTEE:**

The SELPA shall be responsible for establishing and maintaining a Community Advisory Committee (CAC) in accordance with Article 7 (commencing with section 56 190) of Chapter 2 of Part 30 of the California Education Code, the Local Plan, and the Bylaws of the Community Advisory Committee. The SELPA authorizes the CAC to fulfill the responsibilities that are defined for it in Article 7, the Local Plan, and the Bylaws of the CAC.

The CAC for the TVUSD SELPA has been established. The CAC shall be composed of parents of individuals with exceptional needs enrolled in public or private schools, parents of other students enrolled in TVUSD schools, students and adults with disabilities, general and special education teachers, other school personnel, representatives of public and private agencies, and persons concerned with the needs of individuals with exceptional needs.

The local plan draft must be provided to the CAC for review. The CAC has at least thirty days to conduct the review of the local plan before submission of the local plan to the superintendent.

## **SELECTION OF REPRESENTATION FOR DEVELOPMENT OF THE LOCAL PLAN**

### **(ED CODE 56195.3)**

The Local Plan is developed and updated cooperatively by a committee of representatives of special and general education teachers and administrators selected by the groups they represent and with participation by the chair of the CAC 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.

Members of the public, including parents or guardians of students with disabilities, may address questions or concerns first to school site staff and administration, next to district-level administration, and finally to the Board. Nothing in this paragraph limits the rights of members of the public to address the Governing Board according to the policies and procedures set by the Board for such communication. It shall be the policy of the SELPA to resolve issues at the site level as promptly as possible.

## **DISTRIBUTION OF FEDERAL AND STATE FUNDS**

The Temecula Valley SELPA office is designated as the entity responsible for the administration of the Local Plan and assuring that the SELPA is in compliance with all applicable laws and regulations.

**IMPLEMENTATION OF ADMINISTRATIVE FUNCTIONS (Education Code 56195(b)(3)(c)(2), 56195.1, 56205 (a)(12)(D)(ii), 56205(a)(12)(D)(ii)(IV))**

The Riverside County Superintendent of Schools is designated as the Responsible Local Agency (RLA) for the Temecula Valley SELPA. It shall be responsible for functions such as, but not limited to:

- (1) Receipt and distribution of special education funds to district accounts for the operation of special education programs and services.
- (2) Receipt and distribution of special education funds to accounts exclusively designated for SELPA use.
- (3) The employment of staff in accordance with direction from the Superintendents' Council for functions the SELPA is required to provide.

The governing board of Temecula Valley Unified School District (TVUSD) agrees that students with disabilities will be provided with appropriate education services. The TVUSD SELPA shall be responsible to ensure that the funds are distributed in accordance with the Budget Plan. The Annual Budget Plan shall be reviewed and approved by the TVUSD Board of Education.

**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: costs of special education services, related services, and supplementary aids 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 non-disabled children benefit from these services.
- To develop and implement a fully integrated and coordinated services system.

The SELPA director(s) 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 special education funds shall be made through the Annual Budget Plan process.

- A. Preparation of program and fiscal reports- The SELPA director(s), with the assistance of the SELPA Accountant, shall be responsible to prepare all program and fiscal reports required of the SELPA by the state.
- B. Amendments to the annual service and budget plans- The Governing Board agrees to review and approve the SELPA annual service and budget plans and any subsequent modifications.

## RESPONSIBILITY FOR EDUCATING STUDENTS WITH SPECIAL NEEDS RESIDING IN GEOGRAPHICAL AREA

In addition to providing a broad range of programs and services to students within the District attendance area, the SELPA may provide for the education of individual students in special education programs maintained by other districts or counties.

The SELPA shall develop written agreements to be entered into by entities participating in the Local Plan, if any. Such agreements need not be submitted to the State Superintendent. The SELPA may develop written agreements including, but not limited to, the agreements listed in Education Code section 56195.7

## SPECIALIZED EQUIPMENT AND SERVICES

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 Director(s) are responsible for ensuring that all eligibility requirements are met prior to approving any expenditure of these funds.

## POLICIES PROCEDURES AND PROGRAMS

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

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

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.

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

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

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

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

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

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.

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

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

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

It shall be the policy of this LEA that children with disabilities and their parents shall be afforded all procedural safeguards according to state and federal laws and regulations.

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

It shall be the policy of this LEA that a reassessment of a child with a disability shall be conducted at least once every three years or more frequently, if appropriate.

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

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

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

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.

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

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

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

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

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

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

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

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

**14. Personnel Qualifications**

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

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

It shall be the policy of this LEA to comply with the requirements of the performance goals and indicators developed by the COE and provide data as required by the COE.

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

It shall be the policy of this LEA that all students with disabilities shall participate in state and district-wide assessment programs 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 IEPs .

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

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

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

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

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

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

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

The LEA assures that data on suspension and expulsion rates will be provided in a manner prescribed by the COE. 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.

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

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

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

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

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

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

## **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:**

The Superintendent has the executive responsibility for the implementation and operation of this Local Plan for Special Education and is directly responsible to the elected officials of the Temecula Valley Unified School District Board of Ed. The SELPA Administrators will ensure the local plan is implemented and make recommendations to the Superintendent's Council when revisions are needed. The SELPA Administrators develop and facilitate approval of SELPA Policies.

### **2. Coordinated system of identification and assessment:**

SELPA Administrators develop policies, procedures and guidelines for the implementation of state and federal statute special education requirements. The program specialist serves as a member of IEP Teams and monitors, assists with the referral, assessment and identification of special needs children. TVUSD SELPA has policies and procedures related to a system of identification and assessment, including "Child Find: Evaluation/ Assessment Determination."

### **3. Coordinated system of procedural safeguards:**

The Superintendent or designee shall send to the parents/guardians of any student with disabilities a prior written notice within a reasonable time: (20 USC 141 S(c); 34 CFR 300.102, 300.300, 300.503; Education Code 56500.4, 56500.5). A procedural safeguards notice shall be made available to parents/guardians of students with disabilities once each school year and: (20 USC 1415(d)(1); 34 CFR 300.504; Education Code 56301 ). Program Specialists assist parents with understanding their Procedural Safeguards, ensuring they understand Due Process procedures, as well as facilitate Alternative Dispute Resolution sessions.



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

The program specialists are responsible for supervision, problem solving, legal support, staff development and curricular support. The program specialist attends IEP meetings, helps teachers plan programs, arranges for materials and equipment and assists in evaluating programs. The program specialists are liaisons to Community Advisory Council and ensures CAC provides informative presentations at some CAC meetings to provide parent education.

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

The Superintendent or designee shall provide the Board with recommended standards using a process that involves teachers, school site and district administrators, students, parents/guardians, representatives from business/industry and postsecondary institutions, and/or community members. He/she shall ensure the proper articulation of standards between grade levels and the alignment of the standards with the district's vision and goals, graduation requirements, college entrance requirements, and other desired student outcomes. He/she also shall ensure that the standards are easily understandable and measurable. The program specialists are responsible for staff development and curricular support.

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

The Superintendent has the executive responsibility for the implementation and operation of this Local Plan. In accordance with selection procedures described in the SELPA plan, the Board shall appoint District representatives to the SELPA's community advisory committee. This committee shall make suggestions for the development, amendment and review of the local plan, recommend annual priorities, promote parent/guardian and community involvement, assist in parent/guardian education, and support activities on behalf of individuals with exceptional needs. (Educational Code 56190-56194)

**7. Coordinated system of data collection and management:**

The Database & Software Specialist is responsible for the data input for implementing the California Special Education Management Information System (CASEMIS). Software that is mandated by the California Department of Education is used to process semi-annual pupil count report, tracking data for the district psychologists' initial and three-year assessments, speech and language therapist tracking lists, Infinite Campus student data information, maintenance of records, to include records requests, and assisting the SELPA administrators, coordinators, and program specialists as needed.

**8. Coordination of interagency agreements:**

SELPA Administrators are to ensure the provision of services of students with disabilities in charter schools and other alternative programs. so, assume oversight for the implementation, revisions of all

Interagency Agreements, and Memorandums of Understanding operated by the District Riverside County Office of Education to ensure that eligible special education students receive appropriate related services from designated agencies as outlined in their Individualized Education Programs. Interagency Agreements outline how students access services, define service delivery, case management and fiscal responsibility.

**9. Coordination of services to medical facilities:**

Individuals with exceptional needs who are placed in a public hospital, state Licensed Children's hospital, psychiatric hospital, proprietary hospital, or a health facility for medical purposes are the educational responsibility of the local agency in which the hospital or facility is located.

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

SELPA Administrators shall implement the local plan including a coordination of services to licensed children's facilities and foster family homes. Program Specialist assist as a liaison to various community agencies such as Department of Mental Health, Department of Human Services, the Inland Regional Center of Riverside, Children Services and the Probation Department. Reference Education Codes 5620 5(a)(12)(A), 56368(a-c)

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

Preparation of Program and Fiscal Reports (Ed Code 56 205 (a)(12)(D)(ii)(V) The SELPA Administrator, with the assistance of the Fiscal Consultant, SELPA Advisory Committee, and Responsible Local Agency, shall be responsible to prepare all program and fiscal reports required of the SELPA by the state.

**12. Fiscal and logistical support of the CAC:**

The program specialists are liaisons to Community Advisory Council and ensures CAC provides informative presentations at some CAC meetings to provide parent education. The Local Plan is developed and updated cooperatively by a committee of representatives of special and general education teachers and administrators 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. SELPA Administrators will provide fiscal and logistical support CAC meetings, events, and trainings that are approved by the Superintendent's Council.

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

District is responsible to provide those services required by a child's Individual Education Program (IEP). Transportation is provided for any such student to receive those services who is not on an interdistrict transfer at the parent request, or attending a charter school.

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

Role of SELPA Administrators is to develop policies, procedures and guidelines for the implementation of state and federal statute special education requirements, including Workability and Transition Policy. Role of Program Specialist include Elementary and Secondary programs and services, as well as Transition and Workability programs.

**15. Assurance of full educational opportunity:**

The program specialist provides services to children in all disability categories and all continuums of service categories, to ensure full educational opportunity. A range of program options are provided by Temecula Valley SELPA. The appropriate placement for a student is determined by the IEP team based on the Student's instructional needs and not on the Student's disability category.

**16. Fiscal administration and the allocation of state and federal funds pursuant to EC Section 56836.01:**

The SELPA Administrator's responsibility for the fiscal administration of the annual budget plan; the allocation of state and federal funds; and the reporting and accounting of special education funding: The Riverside County Superintendent of Schools is designated as the Responsible Local Agency for the SELPA. This includes: Receipt and distribution of special education funds to district accounts for the operation of special education programs and services and Receipt and distribution of special education funds to accounts exclusively designated for SELPA use. The SELPA director, with the assistance of the SELPA Accountant, shall be responsible to prepare all program and fiscal reports required of the SELPA by the state. SELPA and governing body approve the annual budget.

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

The program specialist is assigned to all elementary and secondary services. The program specialist is responsible for supervision, problem solving, legal support, staff development and curricular support. The program specialist attends IEP meetings, helps teachers plan programs, arranges for materials and equipment and assists in evaluating the effectiveness of special education programs and services. Program specialist services are assigned based upon pupil and program needs within the SELPA. The program specialist provides services to children in all disability categories.

## SPECIAL EDUCATION LOCAL PLAN AREA SERVICES

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

It shall be the policy of this LEA that an IEP, or an IFSP that meets the requirements of 20U.S.C. § 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 U.S.C. §1414 (d). Interagency agreements or other mechanisms for interagency coordination are in effect to ensure services are consistent with the agreement. SELPA Administrators assume oversight for the implementation, revisions of all Interagency Agreements, and Memorandums of Understanding operated by the District.

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

Approval of the Local Plan, adoption of the budget and TVUSD policies, and employment of SELPA personnel regularly occur at scheduled and public meetings of the governing board. The administrative assistants' duties require assisting the public. The CAC shall be composed of the public. The Superintendent's Council must meet regularly according to the Brown Act. Members of the public may address questions and concerns to the council at these scheduled meetings. Program Specialists assist parents with understanding their Procedural Safeguards.

- 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:**

Per Ed Code 5614 0, the SELPA shall monitor the statutory timelines to ensure that services are provided without delays and the services are delivered consistent with the Interagency Agreements. When another agency fails to provide the service in accordance with the IEP, Superintendent/designee shall ensure that the district provides the service. Within 45 days, approve or disapprove any proposed local plan submitted by a district or group of districts within the county or counties.

- 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:**

Provision of Special Education Services to Students with Disabilities (Ed. Code 56195.7(a), 56205(a)(12)(D)(ii)(III), 56205(b) (1) (C,E), 56205(b)(1 )(D), 56303). A student shall be referred for special education instruction and services only after the resources of the general education program have been considered and where appropriate, utilized.

- 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:**

The program specialist attends IEP and ISP meetings, including those at nonpublic, residential treatment centers, and nonsectarian schools, to help teachers plan programs, arrange for materials and equipment and assist in evaluating the effectiveness of special education programs and services. The program specialist oversees and evaluates the effectiveness and appropriateness nonpublic and residential treatment centers, as well as nonpublic agency service providers.

**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 5604 0). 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) Education Code section 56041 determines which local educational agency (LEA) is responsible to provide special education services to adult students who are incarcerated in county jail. Education Code 56041 provides generally that for qualifying students between the ages of 18 and 22 years, the school district where the student's parent resides is responsible for providing special education and relates services. Thus, the parent's district of residence is responsible for providing qualifying adult students in county jail with special education and related services.

## **ANNUAL SERVICE PLAN**

California Education Code (EC) sections 56205(b)(2) and (d); 56001; and 56195.9

The Local Plan Section E: Annual Service Plan must be adopted at a public hearing held by the SELPA. Notice of this hearing shall be posted in each school in the SELPA at least 15 days before the hearing. Local Plan Section E: Annual Service Plan may be revised during any fiscal year according to the SELPA's process as established and specified in Section B: Governance and Administration portion of the Local Plan consistent with EC sections 56001 (f) and 56195.9. Local Plan Section E: Annual Service Plan must include a description of services to be provided by each local educational agency (LEA), including the nature of the services and the physical location where the services are provided regardless of whether the LEA is participating in the Local Plan.

## **ANNUAL BUDGET PLAN**

### **POLICY**

The TVUSD SELPA shall adopt an Annual Budget Plan at a public hearing for which written notice has been provided to members of the staff, parents and general public by posting said notice at each school located within the local plan area at least 15 days prior to the hearing.

### **PROCEDURE**

The Annual Budget Plan shall describe the distribution of funds for the purpose of providing for SELPA administrative costs; special education services to students with disabilities; support of students with disabilities in general education classrooms and environments; regionalized operations and services; and the provision of services to all students with disabilities residing within the local plan area between the ages of birth and twenty-one, inclusive.

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