

# SAN MATEO COUNTY SELPA



## **Local Plan for Special Education**

Adopted June 10, 2014

# **SAN MATEO COUNTY SPECIAL EDUCATION LOCAL PLAN AREA**

## **RESPONSIBLE LOCAL AGENCY**

### **SAN MATEO COUNTY OFFICE OF EDUCATION**

Anne Campbell, County Superintendent of Schools  
Responsible Local Agency Superintendent

### **SELPA GOVERNING BOARD 2013-2014**

Toni Presta	Brisbane Elementary School District
Bernardo Vidales	Jefferson Elementary School District
Wendy Tukloff	Pacifica School District
Jan Christensen	Redwood City Elementary District
Scott Laurence	San Mateo Union High School District
Alejandro Hogan	South San Francisco Unified School District
Beth Polito	Woodside Elementary School District

### **SELPA STAFF**

Anjanette Pelletier	SELPA Senior Administrator
Jane Van Epps	SELPA Program Coordinator
Ben Loewy	LCI/NPS Program Specialist

### **ADMINISTRATORS' COUNCIL**

Audra Pittman	Bayshore Elementary School District
Maria Lang Gavidia	Belmont Elementary School District
Jennifer Roberts	Brisbane Elementary School District
Ken Wyatt	Burlingame Elementary School District
Meredith Raymond	Cabrillo Unified School District
Debbie Mar	East Palo Alto Academy
Mary Maher	Hillsborough City School District
Brenda Smith	Jefferson School District
Sherry Segalas	Jefferson Union High School District
Patty Cruikshank	La Honda-Pescadero Unified School District
Robin Spindler	Las Lomas Elementary School District
Ginny Maiwald	Millbrae Elementary School District
Ray Avila	Pacifica Elementary School District
Julie Flynn	Portola Valley Elementary School District
Nan Graham	Ravenswood City Elementary School District
Carla Crenshaw	Redwood City Elementary School District
Ellen Merritt	San Bruno Park Elementary School District
Suzanne Webster Morris	San Carlos Elementary School District
Lynette Hovland	San Carlos Charter Learning Center
John Bartfield	San Mateo Foster City Elementary School District
Gloria Dirkmaat	San Mateo Union High School District
Debbie Toups	Sequoia Union High School District
Samuel Goldman	South San Francisco Unified School District
Katherine Petersen	Woodside Elementary School District
Andy Lichtblau	Summit Preparatory/ Everest Charter High Schools
Anna Marie Villalobos	SMCOE K-12 Special Education Programs
Joan Rosas	Associate Superintendent, Student Services Division
Theresa Anderberg	Senior Administrator, Special Education SMCOE

## **LOCAL EDUCATIONAL AGENCY PARTICIPANTS**

Bayshore Elementary School District  
Belmont Elementary School District  
Brisbane Elementary School District  
Burlingame Elementary School District  
Cabrillo Unified School District  
Everest Charter School  
Hillsborough City School District  
Jefferson School District  
Jefferson Union High School District  
La Honda-Pescadero Unified School District  
Las Lomas Elementary School District  
Menlo Park City Elementary School District  
Millbrae Elementary School District  
Pacifica School District  
Portola Valley Elementary School District  
Ravenswood City Elementary School District  
Redwood City Elementary School District  
San Bruno Park Elementary School District  
San Carlos Elementary School District  
San Carlos Charter Learning Center  
San Mateo County Office of Education  
San Mateo-Foster City Elementary School District  
San Mateo Union High School District  
Sequoia Union High School District  
South San Francisco Unified School District  
Woodside Elementary School District  
Summit Preparatory Charter

**SAN MATEO COUNTY SPECIAL EDUCATION LOCAL PLAN AREA**  
**ASSURANCE STATEMENTS**

**FREE APPROPRIATE PUBLIC EDUCATION (20 USC § 1412 (a)(1))**

It shall be the policy of this LEA that a free appropriate public education is available to all children residing in the LEA between the ages of three through 21 inclusive, including students with disabilities who have been suspended or expelled from school.

**FULL EDUCATIONAL OPPORTUNITY (20 USC § 1412 (a)(2))**

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

**CHILD FIND (20 USC § 1412 (a)(3))**

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

**INDIVIDUALIZED EDUCATION PROGRAM (IEP) AND INDIVIDUALIZED FAMILY SERVICE PLAN (IFSP) (20 USC § 1412 (a)(4))**

It shall be the policy of this LEA that an Individualized Education Program (IEP) or an Individualized Family Service Plan (IFSP) is developed, reviewed and revised for each child with a disability who requires special education and related services in order to benefit from his/her individualized education program. It shall be the policy of this LEA that a review of an IEP will be conducted on at least an annual basis to review a student's progress and make appropriate revisions.

**LEAST RESTRICTIVE ENVIRONMENT (20 USC § 1412 (a)(5))**

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

**PROCEDURAL SAFEGUARDS (20 USC § 1412 (a)(6))**

It shall be the policy of this LEA that children with disabilities and their parents shall be afforded all procedural safeguards throughout the provision of a free appropriate public education including the identification, evaluation, and placement process.

### **EVALUATION (20 USC § 1412 (a)(7))**

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

### **CONFIDENTIALITY (20 USC § 1412 (a)(8))**

It shall be the policy of this LEA that the confidentiality of personally identifiable data information, and records maintained by the LEA relating to children with disabilities and their parents and families shall be protected pursuant to the Family Educational Rights and Privacy Act (FERPA).

### **PART C, TRANSITION (20 USC § 1412 (a)(9))**

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

### **PRIVATE SCHOOLS (20 USC § 1412 (a)(10))**

It shall be the policy of this LEA to assure that children with disabilities voluntarily enrolled by their parents in private school 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.

### **LOCAL COMPLIANCE ASSURANCES (20 USC § 1412 (a)(11))**

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

### **INTERAGENCY (20 USC § 1412 (a)(12))**

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

### **GOVERNANCE (20 USC § 1412 (a)(13))**

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

#### **PERSONNEL QUALIFICATIONS (20 USC § 1412 (a)(14))**

It shall be the policy of this LEA to ensure that personnel providing special education related services meet the highly qualified requirements as defined under federal law, including 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 CDE about staff qualifications.

#### **PERFORMANCE GOALS & INDICATORS (20 USC § 1412 (a)(15))**

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

#### **PARTICIPATION IN ASSESSMENTS (20 USC § 1412 (a)(16))**

It shall be the policy of this LEA that all students with disabilities shall participate in state and district-wide assessment programs. The IEP team determines how a student will access assessments with or without accommodations, or access alternate assessments, consistent with state standards governing such determinations.

#### **SUPPLEMENTATION OF STATE/FEDERAL FUNDS (20 USC § 1412 (a)(17))**

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

#### **MAINTENANCE OF EFFORT (20 USC § 1412 (a)(18))**

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

#### **PUBLIC PARTICIPATION (20 USC § 1412 (a)(19))**

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

#### **RULE OF CONSTRUCTION (20 USC § 1412 (a)(20))**

(Federal requirement for State Education Agency only)

#### **STATE ADVISORY PANEL (20 USC § 1412 (a)(21))**

(Federal requirement for State Education Agency only)

### **SUSPENSION/EXPULSION (20 USC § 1412 (a)(22))**

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

### **ACCESS TO INSTRUCTIONAL MATERIALS (20 USC § 1412 (a)(23))**

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

### **OVERIDENTIFICATION AND DISPROPORTIONALITY (20 USC § 1412 (a)(24))**

It shall be the policy of this LEA to prevent the inappropriate disproportionate representation by race and ethnicity of students with disabilities.

### **PROHIBITION ON MANDATORY MEDICINE (20 USC § 1412 (a)(25))**

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

### **DISTRIBUTION OF FUNDS (20 USC § 1411(e)(f)(1-3)**

(Federal requirement for State Education Agency only)

### **DATA (20 USC § 1418 a-d)**

It shall be the policy of this LEA to provide data or information to the California Department of Education that may be required by regulations.

### **READING LITERACY (State Board requirement, 2/99)**

It shall be the policy of this LEA that in order to improve the educational results for students with disabilities, SELPA Local Plans shall include specific information to ensure that all students who require special education will participate in the California Reading Initiative.

### **CHARTER SCHOOLS (E.C. 56207.5 (a-c))**

It shall be the policy of this LEA that a request by a charter school to participate as a local educational agency in a special education local plan area may not be treated differently from a similar request made by an LEA.

**FEDERAL ADMINISTRATIVE REGULATIONS OR PROCEDURES FOR  
IMPLEMENTATION (Held on file locally)**

1. Free Appropriate Public Education
2. Full Educational Opportunity
3. Child Find
4. Individualized Education Program and Individualized Family Service Plan
5. Least Restrictive Environment
6. Procedural Safeguards
7. Evaluation
8. Confidentiality
9. Part C, Transition
10. Private Schools
11. Local Compliance Assurances
12. Interagency
13. Governance
14. Personnel Qualifications
15. Performance Goals and Indicators
16. Participation in Assessments
17. Supplementation of State/Federal Funds
18. Maintenance of Financial Effort
19. Public Participation
20. Rule of Construction (Federal requirement for State Education Agency only)
21. State Advisory Panel (Federal requirement for State Education Agency only)
22. Suspension/Expulsion
23. Access to Instructional Materials
24. Overidentification and Disproportionality
25. Prohibition on Mandatory Medicine
26. Distribution of Funds
27. Data
28. Reading Literacy (State Board requirement, 2/99)
29. Charter Schools



## **INTRODUCTION**

The San Mateo County Special Education Local Plan Area is a multi-district SELPA comprised of twenty-six local educational agencies and the San Mateo County Office of Education (SMCOE). The SMCOE is considered a Local Educational Agency (LEA) for all purposes of this Local Plan except where referred to as the Administrative Unit (AU). In adopting the completed Local Plan each LEA agrees to carry out the duties and responsibilities assigned to each agency within the Plan.

The purpose of the Special Education Local Plan Area and its participating LEAs is to provide an educational program appropriate to meet the needs of each eligible child with a disability who resides within the Local Plan Area. Further, its function is to provide equal access and services to children with disabilities from birth to age twenty-two.

All such programs are to be operated in a cost effective manner consistent with the funding provisions of Education Code Section 56700 et. seq, IDEA, other applicable laws and policies, and procedures of the Special Education Local Plan Area.

## **GOVERNANCE**

The governance structure of the SELPA is established by agreement among the governing boards of the member LEAs. It consists of the SELPA Governing Board, the Administrators Council and the Community Advisory Committee. The SELPA Senior Administrator may convene additional advisory committees. The SELPA Senior Administrator is responsible for coordinator of the SELPA and implementation of the Local Plan.

## **CHANGES IN GOVERNANCE STRUCTURE**

Any changes in the governance structure of the San Mateo County Special Education Local Plan Area, including dividing the SELPA into more than one operating entity, changing the designation of and/or responsibilities of the Responsible Local Agency are subject to specific provisions of Education Code Sections 56140, 56195, et seq., 56195.7 et seq., 56200 et seq., and 56205 et seq.

1. Any local agency which is currently designated as a Local Education Agency (LEA) participating in the San Mateo County Local Plan for Special Education may elect to pursue an alternative option from those specified in Education Code Section 56195.1 by notifying the appropriate county superintendent(s) at least one year prior to the date the alternative plan would become effective. (E.C. 56195.3 (b))
2. Any alternative plan of an LEA is subject to the approval of the county superintendent of the county or counties which would have LEAs as participating agencies in the alternative plan. (E.C. 56195.1)
3. Approval of a proposed alternative plan by the appropriate county superintendent must be based on the capacity of the LEA(s) to ensure that special education programs and services are provided to all children with disabilities. (E.C. 56140 (b))

4. If an alternative plan is disapproved by a county superintendent, the County office shall return the plan with comments and recommendations to the LEA(s). The LEA or LEAs participating in the alternative plan may appeal the decision to the Superintendent of Public Instruction. (E.C. 56140 (b) (2))
5. Any alternative plan to be submitted by an LEA or a group of LEAs currently participating in the San Mateo County Local Plan must meet the standards established by the State Board of Education and not adversely affect the size and scope status of the current local plan geographic area.
6. Any changes in the designation of the responsible local agency for the San Mateo County Local Plan must conform to the above code provisions and the administrative provisions for approval as specified in the Local Plan.

Disagreements among the participating agencies of the San Mateo County SELPA Local Plan Area which cannot be resolved within the standard operating procedures specified in the local plan may be resolved in accordance with the SELPA Dispute Resolution Policy.

## **DESCRIPTION OF GOVERNANCE**

In accordance with this provision the San Mateo County Special Education Local Plan Area has developed a two-level policy development and approval process. The following description of the two-level governance structure is in operation at this time and shall continue to be the governance structure within the SELPA.

### **LEVEL I. Special Education Administrators Council**

The Special Education Administrators Council is comprised of representatives from each LEA and the County Office. The Administrators Council shall have responsibility to propose and review policies for the operation of special education programs/services. The Administrators Council SELPA may prepare and recommend areas for policy development to SELPA Governing Board. The Administrators Council shall review each policy proposed based upon input from site administrators, general and special education teachers, other staff, school boards, the CAC, and other concerned community organizations as appropriate. Each proposed policy shall be written and disseminated to the Administrators Council members prior to the meeting at which a recommendation may be made. The Administrators Council shall forward each proposed policy to the SELPA Governing Board with the recommendation for approval, disapproval, or modification of proposed policy.

### **LEVEL II. SELPA Governing Board**

The SELPA Governing Board has the responsibility of adopting necessary policies for the operation of SELPA activities, including, but not limited to, the implementation of the Local Plan for Special Education. The Governing Board is composed of eight members, seven of whom are superintendent representatives appointed by the San Mateo County Superintendents Association and the other is the San Mateo County Superintendent of Schools. SELPA

The SELPA Governing Board is responsible for reviewing each proposed policy with the recommendations from the Administrators Council and the SELPA Senior Administrator. It may initiate policy development as well. The SELPA Governing Board is also responsible for evaluating the SELPA Senior Administrator on an annual basis.

After final action by the SELPA Governing Board, a copy of each adopted policy is sent to every LEA superintendent and the County Superintendent. Adopted policies also are disseminated at the Superintendents Association and the Administrators Council.

## **POLICY DEVELOPMENT PROCESS**

Education Code requires that the local plan for special education specify the responsibilities of each participating LEA and county office governing board in the policymaking process, the responsibilities of the superintendents of each participating LEA and county in the implementation of the plan, and the responsibilities of LEA and county administrators of special education in coordinating the administration of the local plan.

SELPA policies, procedures and local agreements necessary to support the implementation of the local plan, and as required by legal mandates, have been developed and are available upon request. These documents can be requested through the SELPA office.

## **PUBLIC PARTICIPATION**

The SELPA Governing Board encourages public participation by posting meeting agendas 5 days ahead of time at all LEAs. The CAC-RPC Representative receives a copy of the agenda and the CAC-RPC representatives are provided meeting dates for the current school year. Each agenda has allocated time for input on non-agenda items and the public is also encouraged to provide input on agenda items.

Members of the public, including parents or guardians of students with disabilities, may address questions or concerns to the governing boards of each LEA, the SELPA Governing Board, the SELPA Senior Administrator and/or the CAC.

The SELPA Senior Administrator may convene special focus area committees as needed to ensure the appropriate operation of the SELPA business. Each committee may be convened as appropriate to the needs of the SELPA, and all committee meetings are open to interested LEA personnel. Committees that are convened by the SELPA Senior Administrator may include:

### ***Funding Advisory Committee***

The Funding Advisory Committee shall include at least one chief business official and one LEA special education administrator from each zone. Additionally the committee shall include at least one participant who is representing small school districts. Other LEA personnel, as interested, may participate. The committee is convened as determined necessary by the SELPA Executive Director.

The purpose of the Funding Advisory Committee is to provide suggestions and recommendations to the SELPA Executive Director regarding financial issues such as the

income distribution agreement, the annual budget plan, the impact of budgets for regional programs on the provision of special education throughout the SELPA, and maintenance of effort requirements.

### ***Program Transfer Committee***

The Program Transfer Committee shall include at least one Superintendent and one LEA special education administrator and the Senior Administrator, Special Education Programs. Other LEA personnel, as interested, may participate. The committee is convened as determined necessary by the SELPA Senior Administrator.

The purpose of the Program Transfer Committee is to provide assistance and recommendations to the SELPA Senior Administrator regarding programmatic transfers from the SMCOE special education programs to resident LEAs.

### ***Low Incidence Fund Committee***

The Low Incidence Fund Committee consists of the SELPA Program Coordinator, at least one program specialist from a member LEA, and relevant Low Incidence specialists who may provide direct services to member LEA students. Other district personnel, as interested, may participate. The committee is convened as determined necessary by the SELPA Senior Administrator.

Funds for low incidence equipment, materials, and services are restricted to support of students in the following disability categories: hard-of-hearing, deaf, visual disability, severely orthopedically impaired, and deaf-blind. The funds are administered through the SELPA as specified in the SELPA Procedural Handbook and include receipt of funds, expenditure of funds, maintenance of an inventory, development of procedures for exchange of equipment, and reporting to the state.

### ***Special Focus Committees***

The SELPA Senior Administrator may convene informal special focus advisory committees in areas such as program development, adoption of student information systems, development and revision of IEP forms, and interagency agreements. Each committee will meet only as long as necessary to complete a specific purpose.

## **REGIONALIZED SERVICES TO LOCAL PROGRAMS**

In order to implement the local plan, the SELPA Senior Administrator and Program Specialist/Coordinators shall be considered “school officials and employees” in regards to access of student records. The SELPA assures that all regionalized operations and services listed below are provided in accordance with the local plan:

1. A coordinated system of identification and assessment.
2. A coordinated system of procedural safeguards.
3. A coordinated system of staff development and parent education.

4. A coordinated system of curriculum development and alignment with the core curriculum.
5. A coordinated system of internal program review, evaluation of the effectiveness of the local plan, and implementation of a local plan accountability mechanism.
6. A coordinated system of data collection and management.
7. Coordination of interagency agreements.
8. Coordination of services to medical facilities.
9. Coordination of services to licensed children's institutions and foster homes.
10. Preparation and transmission of required SELPA reports.
11. Fiscal and logistical support of the CAC.
12. Coordination of career, vocational and transition services.
13. Coordination of transportation services for individuals with exception needs.
14. Means by which full educational opportunity is ensured.
15. Fiscal administration and the allocation of state and federal funds.

## **PROGRAM SPECIALIST SERVICES**

A program specialist is a specialist who holds a valid special education credential, clinical services credential, health services credential, or a school psychologist authorization and has advanced training and related experience in the education of individuals with disabilities and specialized in-depth knowledge in preschool disabilities, career vocational development, or on or more areas of major disabling conditions. A Program Specialist may do all of the following:

1. Observe, consult with, and assist resource specialists, designated instruction and services instructors, and special class teachers.
2. Plan programs, coordinate curricular resources, and evaluate effectiveness of programs for individuals with exceptional needs.
3. Participate in each school's staff development, program development, and innovation of special methods and approaches.
4. Provide coordination, consultation and program development primarily in one specialized area or areas of his or her expertise
5. Assure that pupils have full educational opportunity regardless of the district of residence.

6. Personnel development for staff, parents, members of CAC, volunteers, and governing boards, as appropriate. Such staff development programs will be coordinated with other staff development programs.
7. Data collection and implementation of required Management Information Systems.
8. Curriculum development and support for special education programs and services.
9. Ongoing review of special education programs and procedures in the SELPA, and mechanisms for correcting any identified problems. Such review and procedures will be in accordance with any state level procedures, but may include local interventions starting at the most direct level of intervention, e.g., LEA support to the classroom teacher who needs it, or training and instruction in the identified problem area.
10. Coordinating services with other agencies.

## **ROLES AND RESPONSIBILITIES OF PARTICIPATING ENTITIES**

### **ADMINISTRATIVE UNIT (AU)**

The SELPA Governing Board has designated the SMCOE as the AU for the SELPA. The AU is the SELPA's fiscal agent and is responsible for implementing the following functions:

1. Receipt and distribution of special education funds for the operation of special education programs and services, pursuant to state and federal law.
2. Administrative support, including establishing and maintaining an office for SELPA staff.
3. Employment of SELPA staff to coordinate implementation of the local plan.

### **LOCAL EDUCATIONAL AGENCY (LEA)**

1. Carry out the duties and responsibilities assigned to each LEA.
2. Annually review and approve special education programs and services of the LEA.
3. Operate local programs consistent with state and federal law, regulations, and policies and procedures approved by the SELPA.
4. Participate in the development and adoption of policies related to the governance and operation of the SELPA.
5. Develop and adopt policies for the operation of the LEA which are consistent with those of the SELPA, and which promote the concept to ensure access to appropriate programs and services for all children with disabilities.
6. Participate in the nomination, selection, and appointment of representatives to the CAC.

7. Provide suitable housing for special educational programs operated by the San Mateo County Office of Special Education Program pursuant to the SELPA Housing Policy.
8. Cooperate with the Superintendent of the RLA and the governing boards of participating LEAs to assure the availability of appropriate services to eligible individuals regardless of district of residence.
9. Approve the Local Plan developed for the San Mateo County SELPA prior to review by the State Department of Education.
10. Ensure LEA compliance with all elements of the Local Plan
11. Oversight of Nonpublic School placements, including annual evaluation of the placement as part of the annual IEP review.

### **LOCAL EDUCATIONAL AGENCY SUPERINTENDENT**

The Superintendent of the Local Education Agency will have the ultimate obligation to:

1. Provide leadership within the LEA in support of the special education programs.
2. Represent the LEA as a member of the San Mateo County Superintendents' Association.
3. Recommend to the governing board, when appropriate, modifications of LEA special education programs necessary to meet the changing needs of the students, to be included in the required Annual Service and Budget Plans submitted to the SELPA.

### **RESPONSIBLE LOCAL AGENCY SUPERINTENDENT**

The County Superintendent of Schools of San Mateo County shall be designated as the Superintendent of the Responsible Local Agency (RLA) Superintendent. The RLA Superintendent will serve as the eighth member of the SELPA Governing Board and will have the responsibility for the coordination and implementation of the Local Plan in accordance with approved policies and procedures. Additional responsibilities of the RLA Superintendent:

1. Serve as the employing agency for personnel who have responsibilities throughout the Local Plan Area. Such personnel will include, but not be limited to, the SELPA Senior Administrator and SELPA Program Specialist/Coordinators. Employment of such personnel will be in accordance with personnel policies and practices of the San Mateo County Office of Education and procedural employment policies.
2. Employ appropriate classified personnel in support of the SELPA certificated staff.
3. Provide suitable office space for employees of the SELPA.
4. Participate as a member of the SELPA Governing Board, in the annual evaluation of the SELPA Senior Administrator.

## **IMPLEMENTATION**

Suggestions leading to the development of policy statements and/or changes in existing policy may originate at any level within the governance structure of the San Mateo County Special Education Local Plan Area or from the Special Education Community Advisory Committee in its capacity. Policy considerations are to be dealt with in accordance with the following procedure:

1. The SELPA Governing Board is charged with the responsibility of adopting appropriate policies regarding the implementation of the Local Plan for Special Education. Each LEA superintendent by participation in the Superintendents' Association and through the Superintendents' Subcommittee for Special Education is charged with overseeing the operations of the Local Plan and implementing the policies adopted. Information is transmitted to the Special Education Administrators Council for implementation of the directives and policies and for the development of procedures. The SELPA provides a coordinating function and serves as staff to each of the groups. Thus, a smooth and efficient operation of the administrative structure is achieved to assure a successful implementation of the Local Plan for Special Education in accordance with the policies adopted by the SELPA Governing Board.
2. Changes may need to occur in the implementation of the Plan as a result of a change in law or regulation or as a change in need of the San Mateo County special education population. The process for policy development shall be used in order to develop the necessary new procedures or policies.

Either level of the governance structure may establish a task force in order to study any area of particular concern or potential conflict. This study group may include representatives from the other levels of the governance structure when determined appropriate; facilitators and consultants may be used. The task force shall discuss and explore the issue(s) raised and make recommendations to the larger group which raised the issue, subsequently following through the procedures outlined for policy development when appropriate.

## **SELPA STAFF**

The SELPA Administrator will coordinate the operation of all special education services of the SELPA pursuant to law and will administer those functions delegated to the SELPA pursuant to the Local Plan adopted by the Council of Superintendents. The SELPA Administrator serves under the direction of the Superintendent of the RLA and assumes responsibility for duties delegated by the SELPA Governing Board or the Superintendent of the RLA.

## **RESPONSIBILITIES OF THE SELPA ADMINISTRATOR**

Under the direction of the RLA Superintendent, the SELPA Administrator shall be responsible to:

1. Develop, implement, supervise, and provide for the evaluation of the Regionalized Services program.
2. Administer, coordinate, and implement the Special Education Local Plan, Management Information System, and all regionalized services



3. Serve as Secretary to the SELPA Governing Board and assist the Chairperson to develop the agenda and report minutes of the meetings.
4. Prepare an annual budget for Regionalized Services to be submitted to the SELPA Governing Board, in conjunction with the Annual Budget Plan.
5. Ensure the implementation of all federal, state and local responsibilities of the SELPA, including personnel development and procedural safeguards and other assurances.
6. Recommend employment of, assign, supervise, and evaluate staff employed by the SELPA.
7. Provide assistance to SELPA Administrators to carry out their responsibility to ensure that all pupils have access to full educational opportunity.
8. Provide necessary procedures and data to the RLA to allocate federal and state funds to the LEAs within the SELPA.
9. Provide support to the LEAs of the SELPA in their operation of special education programs and services.
10. Monitor the appropriate use of federal, state and local funds allocated for special education programs.
11. Prepare program and fiscal reports required of the SELPA by the State; manage the CASEMIS data system to comply with all state requirements.
12. Schedule regular meetings of the SELPA Governing Board, Administrators Council and Community Advisory Committee for policy and budget development, support, and information sharing.
13. Develop and recommend to the Administrators Council a plan for personnel development including training for staff, parents, and members of CAC.
14. Coordinate procedures to assist LEAs with NPS/NPA services.
15. Provide support and assistance to Community Advisory Committee
16. Disseminate information to Administrators regarding pupil count, legislation, finance, and other State educational issues.
17. Act as SELPA liaison with California Department of Education staff.
18. Supervise SELPA Staff (Program Specialists, MIS/Computer Technician, Fiscal Analyst, Secretarial/Clerical Staff)
19. Oversee development and implementation of interagency agreements (Community Mental Health, CCS, Head Start, and Regional Centers)

20. Recruit and train educational surrogate parent volunteers

21. Supervision of SELPA Program Specialists and Program Coordinators.

## **EMPLOYMENT AND EVALUATION OF THE SELPA SENIOR ADMINISTRATOR**

The procedure for the employment of the San Mateo County SELPA Senior Administrator will be a process jointly agreed upon by the RLA Administrator and the SELPA Governing Board. It becomes the responsibility of the SELPA Governing Board to evaluate the SELPA Senior Administrator.

## **PROGRAM SPECIALIST SERVICES**

The distribution of Program Specialist personnel and services shall be provided in accordance with Education Code provisions.

Regularly scheduled program specialist meetings are held and additional communication is coordinated by Administrators Council. This ensures the continuity of services as per the sixteen functions listed in Education Code 56780.

Duties of program specialists are those specified in Education Code §56368 and the Local Plan:

1. Assist Resource Specialists, Designated Instruction and Service instructors, and Special Class Teacher in the planning and implementation of individual education programs for children whose disability is in the area of the expertise of the Program Specialist.
2. Coordinate curricular resources in a manner to make them available and effective for personnel who are in need of the resources.
3. In conjunction with the Administrators Council and the SELPA Administrator, assess program effectiveness to promote the program for student with disabilities.
4. Participate in school staff development, research, program development, and innovation or special methods and approaches.
5. Provide coordination, consultation, and program development in areas to which the program specialist is assigned.
6. Under the direction of the SELPA Administrator or LEA Administrator, assure the pupils have full educational opportunity, regardless of the LEA of residence in the Special Education Local Plan Area.
7. Serve on assessment teams and individualized education program teams as provided for in this plan.
8. Assist Local Education Agencies with non-public, non-sectarian and state school placements when requested.

## **COORDINATING SERVICES WITH OTHER PUBLIC AGENCIES**

The SELPA will facilitate agreements for the provision and coordination of services by other public agencies that are funded to serve children with disabilities. The SELPA Administrator has the primary responsibility to negotiate agreements with other public agencies. All agreements negotiated with public agencies are to be approved by the Administrators Council and submitted to the SELPA Governing Board for approval. These agreements include but are not limited to California Children's Services, Head Start/Early Start, Golden Gate Regional Center, and others as needed.

## **REQUEST FOR SELPA MEMBERSHIP BY A CHARTER SCHOOL**

A request by a charter school to participate as an LEA in the SELPA will not be treated differently from a similar request made by a school district. In reviewing and approving such a request, the following requirements shall apply:

1. The charter school shall participate in state and federal funding for special education and the receive funding in the same manner as other LEAs of the SELPA as specified in the SELPA income distribution model.
2. The charter school shall participate in the governance of the SELPA in the same manner as other LEAs of the SELPA.
3. The addition of new members to the SELPA, as approved by the Governance Council, shall be followed by an amendment to the local plan.

## **LOCAL INTERAGENCY AGREEMENTS**

The San Mateo County SELPA has interagency agreements with the following agencies:

- Interagency Agreement between San Mateo County Special Education Local Plan Area and California Children Services
- Interagency Agreement between San Mateo County Special Education Local Plan Area and San Mateo County Head Start
- Interagency Agreement between San Mateo County Special Education Local Plan Area and Golden Gate Regional Center
- Interagency Agreement between San Mateo County Special Education Local Plan Area and Golden Gate Regional Center for the Implementation of Part C, Individuals with Disabilities Education Act

## **LOCAL PLAN FOR LITERACY**

All students with special needs will have the opportunity to participate in the general education curriculum one of the major areas of participation will be to participate in the California Reading Initiative. It is basic to ongoing school success and essential for successful participation in society.

Without reading proficiency, students are excluded from full participation and opportunity to achieve academic success in school.

In order to improve the educational results for students with disabilities, the LEAs of the San Mateo County SELPA ensure that all students who require special education will participate in the California Reading Initiative, just as do all other students in our LEAs. In order to facilitate that effort, our LEAs assure that all special education instructional personnel will participate in staff development opportunities in the area of literacy, including:

1. Information about current literacy and learning research
2. Common Core State Standards
3. Increased participation of students with disabilities in statewide student assessments
4. Research based instructional strategies for teaching reading to a wide range of diverse learners in order to increase the percentage of children with disabilities who are literate.

LEA Administrators shall assure that all students with disabilities will have full access to:

1. All required core curriculum including state adopted and supplementary text books
2. Instructional materials and support in order that students with disabilities attain higher standards in reading

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

## **UTILIZATION OF GENERAL EDUCATION RESOURCES**

Each LEA shall ensure that a pupil is referred for special educational instruction and services only after the resources of the general education program have been considered and, where appropriate, utilized. Such resources may include, but not be limited to, response to intervention models, student success teams, early literacy programs, and remedial programs.

## **ANNUAL BUDGET PLAN AND BUDGET ALLOCATION PLAN**

State and Federal funds are allocated to the member LEAs for the operation of special education programs pursuant to an agreed upon budget allocation plan. The Budget Allocation Plan is the SELPA fund distribution model pursuant to applicable state and federal regulations. Each LEA in the SELPA acknowledges the obligation to maintain the level of general fund contribution towards the provision of special education services at a level equal to or greater than that of the prior year (Maintenance of Effort) and assures the maintenance of fiscal support in compliance with state and federal mandates. Each LEA understands that Part B funds will not be used to reduce the level of support beyond the amount permitted under federal law and regulations.

State low incidence funds are allocated pursuant to EC and requests are reviewed by the Low Incidence Committee.

The SELPA Governing Board shall hold a public hearing on an annual basis to present the annual budget plan.

LEAs will conform to the annual reporting procedures for state and federal funds. Pursuant to AB1200 the county superintendent is responsible for ensuring the fiscal solvency of member LEAs.

### **ANNUAL SERVICE PLAN**

The SELPA shall adopt an annual service plan at a public hearing scheduled at a SELPA Governing Board meeting in compliance with all legal mandates. The service plan provides an overview of the programs and services available within the SELPA.

### **USE OF PROPERTY TAX**

County special education property tax revenue is distributed to SELPA member LEAs pursuant to SELPA Budget Allocation Plan.

### **SAN MATEO COUNTY SELPA DISPUTE RESOLUTION PROCESS**

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

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

If either party disagrees with the recommendation of the SELPA Governing Board, and the dispute relates to the distribution of funding, the responsibility for service provision or other governance activities specified within the Local Plan, the party may submit the dispute to mediation. The parties will make a good faith effort to mutually agree to a mediator with expertise related to the dispute. If the parties cannot agree on a mediator, the parties will submit the dispute to the Peninsula Conflict Resolution Center for selection of a mediator.

Any dispute unresolved in mediation, arising from a dispute that relates to the distribution of funding, the responsibility for service provision or other governance activities specified within the Local Plan shall be settled by arbitration. The arbitration decision shall be made by a panel of three, including one person appointed by each party and a neutral chair of the panel selected by the other two panel members. If the parties agree, the mediator involved in the parties' mediation may be asked to serve as the panel chair.

Each party shall bear its own costs and expenses and an equal share of the mediator's and/or arbitrator's and administrative fees of arbitration. The power and jurisdiction of an arbitrator shall be limited to adjudicating the rights and responsibilities of the parties. The arbitrator shall not have the power to determine constitutional issues or issues outside the scope of Education Code section 56205(b) (5).

***Legal References***

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

State Requirements: *EC 56001 (f), 56200(c) (2), 56190-56194, 56195.1 (b) (c), 56195.3, 56195.9, 56025 (a) (12), 56205 (b) (4), 56205 (a) (b) (5), 47640-47647, 56195.1, 56203, 56207, 56205 (D) (ii), 56205(a) (12) (D) (1), 56205(b) (1) (F), 56195.19 (a) (12) (D)*

## **EVALUATION**

### **Rationale**

E. C. 56600 was written, in part, to ensure that SELPAs participate with all State efforts to provide for “ongoing comprehensive evaluation of special education programs” in order to “refine and improve programs, policies, regulations, guidelines, and procedures on a continuing basis and to assess the overall merits of these efforts”.

### **Policy Statement E.C. 56205(a) (12) (D) (ii) (iv)**

The San Mateo County SELPA shall submit annually all information required by the California Department of Education, Special Education Division, in this effort, including statistical data, program information, and fiscal information related to the programs and services for children with disabilities in the San Mateo County SELPA.

### **Guidelines**

The SELPA Senior Administrator will be responsible to collect all data required by the California Department of Education related to special education budgets and services, and report them annually.

SELPA staff will support all the members of the SELPA in the collection of data related to compliance, due process procedures, availability of services, key performance indicators, etc., as needed.

**PROVISION FOR ONGOING REVIEW OF PROGRAMS**  
**56195.7(c) (6)**

**Rationale**

The State has in place a system for review of the special education programs in the LEAs. It is the responsibility of the SELPA to support the delivery of effective programs and services in its LEAs, to support a continuum of appropriate service options, to improve the quality of the programs offered, and to participate in review processes, including the Quality Assurance Process, the Procedural Safeguards and Complaints processes and mediation and due process procedures.

**Policy Statement**

The San Mateo County SELPA endeavors first to provide adequate information, resources, and support to all member LEAs, so that they may deliver compliant, quality services. Further, SELPA staff will, under the direction of the SELPA Governing Board and Administrators Council in conjunction with CAC, participate in all State review processes and any local review processes to ensure that appropriate and necessary services are offered for all children with disabilities and to support continuous improvement of those services.

**Guidelines**

The SELPA will ensure that adequate information related to all areas of compliance is available to all member LEAs.

The SELPA will ensure the availability of a full continuum of options, supplemental aids and services, and regionalized programs, for all children with disabilities, severe low incidence, non-severe and early childhood.



**FULL EDUCATIONAL OPPORTUNITY**  
**20 US 1412(a) (2)**

**Rationale**

One of the primary goals of the Individuals with Disabilities Education Act is to ensure that every child has access to the general curriculum. At the same time it defines special education as “specially designed instruction”. In order to allow children their best opportunity to access a free and appropriate public education in the Least Restrictive Environment, the SELPA has a responsibility to facilitate a balance and understanding of the requisite elements.

**Policy Statement**

The San Mateo County SELPA is committed to ensuring that all children regardless of their disability have access to the general curriculum to the maximum extent appropriate. Therefore, a focus of personnel development activities and support to all member LEAs will be to facilitate professional growth and student achievement through curricular alternatives to all students, including modifications and accommodations, as appropriate.

**Guidelines**

All children with disabilities, including those with low incidence disabilities, will be given the opportunity to participate in the general curriculum and will be provided appropriate curricular accommodations and modifications.

SELPA staff will support statewide and local efforts to pilot and implement curriculum options designed to support children with varying learning needs.

SELPA staff will be available to support students and their teachers whose needs for curricular support are beyond the LEA’s expertise.

## **DATA COLLECTION AND DEVELOPMENT OF MANAGEMENT INFORMATION SYSTEMS**

### **Rationale**

California Department of Education requires of each SELPA the collection of specified data in such a manner as to be communicative with the Management Information System of the State.

### **Policy Statement**

The SELPA shall design and implement a data collection and storage system that will provide for the management and reporting of required data for state and federal systems. The SELPA will continue to work with the State's Department of Management Information System to collect and report all required data related to special education fiscal and program services, and to provide other pertinent information necessary for the operation of the SELPA.

### **Guidelines**

The SELPA staff will support all the LEAs in the SELPA in their collection and reporting of required data.

The SELPA staff will strive to support a system which is responsive to the data needs of the LEA.

The SELPA staff will implement a continuous improvement model of data collection.

## **PERSONNEL DEVELOPMENT**

### **Rationale**

Implementation of the San Mateo County Local Plan requires ongoing personnel development to provide appropriate learning experiences which promote understanding, increase skills and expertise, and ensure that federal and state law will be followed. Regionalized personnel development opportunities, will:

Provide participants with the necessary information, training and resources to ensure compliance with special education as required by federal and state law.

Provide the participants with opportunities to engage in activities that enhance personal and professional growth.

Meet the needs of personnel, school programs, parents, and students as they relate to the development and implementation of Individualized Education Programs for students with disabilities.

### **Policy Statement**

Personnel Development funds are distributed to the LEAs in the SELPA. The San Mateo County SELPA facilitates planning and coordination for regionalized personnel development opportunities to members of the SELPA. San Mateo County SELPA personnel development offerings will adhere to the following policy requirements:

1. Will be available to representatives from general education, special education, administrators, support staff, paraprofessionals, parents, CAC representatives, NPS/NPA staff, agencies, classified, and private schools;
2. Will ensure working collaboration with all member LEAs, including the County Office of Education and Juvenile Court Schools Community Advisory Committee, Region 4 of the Comprehensive System of Personnel Development Advisory Committee (CSPDAC), Head Start, Children's System of Care (Mental Health, Social Services, Probation, California Children's Services, Golden Gate Regional Center, and Department of Rehabilitation;
3. LEAs and educational representatives will ensure notification of personnel development opportunities and encourage and support attendance;
4. Will ensure that the annual personnel development plan is in alignment with federal, state and local identified needs so that school personnel are prepared to meet the needs of individuals with disabilities;
5. Will include training for new staff as well as provide continuing education opportunities based on the needs assessments.

## **SAN MATEO COUNTY SELPA COMMUNITY ADVISORY COMMITTEE (CAC)**

The San Mateo County SELPA Community Advisory Committee serves the Special Education Local Plan Area and the Superintendent of the RLA in an advisory capacity, in accordance with Education Code 56190-56194 and procedures specified in the San Mateo County SELPA CAC Parent Handbook.

Parents comprise a majority of the membership of the Community Advisory Committee and of these members; the majority must be parents of children with disabilities. Members of local PTAs, special education teachers, general education classroom teachers and school personnel, students with disabilities, representatives of related public and private agencies, and other persons concerned with the needs of children with disabilities may also be represented.

### **RESPONSIBILITIES OF THE COMMUNITY ADVISORY COMMITTEE**

1. Advise the SELPA Senior Administrator, the Superintendent of the RLA, the Special Education Administrators' Council and the SELPA Governing Board regarding the development, amendment and review of the Local Plan, programs and services.
2. Inform and advise Special Education Local Plan Area staff regarding community conditions, aspirations, and goals for children with disabilities.
3. Make recommendations for annual priorities to be addressed by the SELPA.
4. Assist in parent education and in recruiting parents, volunteers, and agencies who may contribute to the implementation of the Local Plan.
5. Encourage community awareness and involvement in the development and review of the Local Plan.
6. Support activities on behalf of children with disabilities.
7. Facilitate communication between schools, parents, and community.
8. Assist in parent awareness of the importance of regular school attendance.
9. Establish and review by-laws to govern committee operations, including a procedure designed to provide for a systematic rotation of the membership.
10. Communicate information to be shared with other parents.

### **THE COMMUNITY ADVISORY COMMITTEE APPOINTMENT AND MEMBERSHIP**

The Community Advisory Committee shall consist of members appointed by the LEA Governing Boards, including the County Board of Education. The appointments from each agency may include parents of students enrolled in general education, parents of students with disabilities enrolled in public or private schools, pupils or adults with disabilities, LEA personnel, including teachers, representatives of other public agencies, or other persons concerned with the needs of children with

disabilities. All relevant public agencies will be invited to send a representative to serve on the Community Advisory Committee.

Members appointed to represent an LEA are to be appointed by the governing board of the LEA. All parent members of the committee must reside within the geographic area of the Special Education Local Plan Area.

Membership shall terminate for a member who is absent from three consecutive regular meetings without the member contacting the SELPA. A member may resign by filing a written resignation with the chairperson of the Community Advisory Committee and their LEA Board.

## **COMMUNITY ADVISORY COMMITTEE (CAC) BY-LAWS**

The Community Advisory Committee - Resource Parent Council members are selected to the RPC by school districts to assist other parents in the IEP process and empower families to work within the system with their Local Education Agencies (LEA). Resource Parents are volunteers trained by the San Mateo County SELPA and they are committed to improving communication between parents and LEAs, to making the system work effectively and efficiently, and to being a source of information, support and consultation for parents of children with special needs.

The purpose of the CAC is to educate parents regarding the practices and procedures in special education and to provide ongoing parent-to-parent support. Training, which includes development of communication skills, basic understanding of federal and state special education law, and opportunities to develop resources, support and assist families of children with IEPs.

Resource Parents will support any parents requesting assistance. They will utilize the resources of other parent members or the San Mateo County SELPA. Resource Parents may be asked by another parent to attend an IEP meeting, support a meeting with LEA staff or administrators, or review current documents related to an IEP. Resource Parents are expected to function in a highly professional manner, maintain confidentiality, and remain aware of the sensitive nature of all information received about students, parents and families.

**Name:** In San Mateo County the Community Advisory Committee shall be referred to as the **Resource Parent Council**. (RPC)

**Membership:** Resource Parent Council members are appointed by their Local Education Agency governing boards, through recommendations of the LEA Special Education Director, for a term of no less than two years. Membership primarily consists of parents of students with special needs, and may include general and special education personnel, agency personnel and members of the community at large.

**Purpose:** The purpose of the Resource Parent Council is to educate and serve as a resource to other parents and community members regarding the needs of special education students as well as building community awareness, resources and support for parents with children in the special education system. The group also serves in an advisory capacity to the SELPA regarding the Local Plan and other parent training opportunities.

**Meetings:** The meeting dates for the year will be published in advance to allow parents to plan. Meetings will be held at the County Office of Education, 101 Twin Dolphin Drive, Redwood City, CA 94065 or within the boundaries of the San Mateo County SELPA. Meetings will be held no less than three times per year and are open to interested parties.

**Training:** A systematic program of trainings for council members allows member parents to become familiar with new regulations, and legal requirements, community resources, special education services and other parent topics of interest in order for them to better support their families, local education agencies and communities.

**BY-LAWS  
OF THE SAN MATEO COUNTY  
SPECIAL EDUCATION LOCAL PLAN AREA  
GOVERNING BOARD**

**I. PURPOSES**

The SELPA Governing Board's purposes are: to represent the interests of local LEAs and the County Office of Education concerning special education, to provide interaction and communication between all parties within the SELPA, and to adopt policies for the operation of the SELPA. These purposes are to further the overall mission of providing an appropriate education to all individuals with exceptional needs within the SELPA.

**II. MEMBERSHIP**

1. Composition

The SELPA Governing Board shall consist of eight members, selected as follows:

- a. One superintendent from a unified school district, elected by San Mateo County Superintendents' Association.
- b. One superintendent from a high school district, elected by the San Mateo County Superintendents' Association.
- c. Three superintendents from elementary school districts with enrollments over 1,500 students, elected by the San Mateo County Superintendents' Association.
- d. Two superintendents from elementary school districts with enrollments of under 1,500 students, elected by the San Mateo County Superintendents' Association.
- e. The seven superintendents, elected by the San Mateo County Superintendents' Association, shall represent the LEAs in San Mateo County SELPA. The SELPA Governing Board members shall inform and get input from the San Mateo County Superintendents' Association on SELPA issues.
- f. The County Superintendent of Schools will serve as the eighth member of the SELPA Governing Board.

2. Determining Enrollments

For purposes of determining enrollments under Section 1 above, enrollment figures shall be those reported in the October CBEDS count each year.

3. Terms

Each SELPA Governing Board Member, with the exceptions of the County Superintendent of Schools, shall serve a two-year term, and may be reelected. Terms shall be staggered. The SELPA Administrator shall maintain a current list of office terms.

4. Attendance

Members of the SELPA Governing Board are expected to attend all of its meetings. If a member must be absent from a SELPA Governing Board meeting, he or she shall notify the SELPA Administrator in advance, by email, telephone, facsimile or letter. If a member is

absent for three or more meetings within any school year, such member may be subject to removal from the SELPA Governing Board by a two-thirds vote of its members.

#### 5. Vacancy

If a vacancy occurs in the membership of the SELPA Governing Board due to resignation, death or for any other reason, such vacancy shall be filled as practicable by the San Mateo County Superintendents' Association. The superintendent elected shall be from an LEA with a similar size and configuration where the vacancy occurred.

### III. FUNCTIONS

#### 1. General

The SELPA Governing Board shall have policy making authority for governance of the SELPA, and may perform all functions and roles as specified in the Local Plan.

The SELPA Governing Board may approve a charter school to become a member of the SELPA as an LEA if the Charter meets all of the requirements as specified in the SELPA Charter School Policy. The addition or termination of a Charter LEA to the SELPA is a Local Plan change that the SELPA Governing Board has the authority to execute without approval of the SELPA LEA boards.

The SELPA Governing Board can adopt amendments to the permanent portion of the local plan on an "interim" basis, not to exceed one year. Amendments approved in this manner would become permanent upon subsequent approval by all LEA governing boards and the State Board of Education.

#### 2. Specific Responsibilities

- a. The SELPA Governing Board shall be responsible for adopting policies relating to the Local Plan.
  - b. The SELPA Governing Board shall evaluate the special education plan yearly in order to insure that all students with disabilities are being served.
  - c. The SELPA Governing Board shall adopt the SELPA Budgets
3. The SELPA Governing Board may delegate authority to the SELPA Administrator to execute SELPA operational procedures, such as signing interagency agreements and approving SELPA forms. The SELPA Administrator shall notify the SELPA Governing Board Chair prior to taking such an action.

Effective 2004, by June 15<sup>th</sup> of every year, the SELPA Governing Board shall adopt in a public hearing an annual service plan and an annual budget plan as specified in EC 56205 (b)(1)(2). Each member LEA shall post a notice of the annual hearing at least 15 days prior to the hearing pursuant to EC 56205 (b)(1)(2).

#### 4. Communication

The SELPA Administrator shall assure that agendas and minutes of all SELPA Governing Board meetings are distributed in a timely manner to all local member LEA superintendents,



members of the Administrators' Council, and the Chair of the Community Advisory Committee.

5. Funding Structure Changes

If the basic special education funding structure changes, or if there are any structural changes being recommended in the allocation of moneys to LEAs, such changes will be subject to approval by eighty percent (80%) of the LEA boards.

#### **IV. OFFICERS AND DUTIES**

1. Chair

The SELPA Governing Board Chair shall preside at and facilitate all its meetings, unless the chair requests the Vice-Chair to preside at and facilitate such discussion. The Chair, in collaboration with the SELPA Administrator, shall also prepare the agenda for all SELPA Governing Board meetings. The SELPA Administrator shall distribute minutes of all SELPA Governing Board meetings to all Governing Board members and others as set forth in these by-laws. The Board Chair must authorize the placement of matters on the agenda, except as noted in Section 5.3.

2. Vice-Chair

The SELPA Governing Board Vice-Chair shall assume the duties of the Chair when the Chair is absent, unable to perform such duties or at the request of the Chair.

3. Secretary

The SELPA Administrator shall serve as the Secretary to the SELPA Governing Board, shall provide assistance to the SELPA Governing Board, and shall prepare minutes and meeting agenda in collaboration with the Board Chair. The SELPA Administrator shall be an employee of the San Mateo County Office of Education.

4. Term of Office

The Chair and Vice-Chair shall serve one-year terms, and shall be elected from among the members of the SELPA Governing Board at its September meeting. The Chair and the Vice-Chair may be re-elected.

#### **V. MEETINGS**

1. Time and Place

SELPA Governing Board Meetings are scheduled during the regular school year as indicated on the annually adopted meeting calendar. The meetings are held from 9:00 AM – 11:00 AM. There shall be at least four meetings a year of the SELPA Governing Board. Other meetings of the SELPA Governing Board shall be called as needed by the Chair of the SELPA Governing Board or, in his/her absence, the Vice-Chair.

2. Notice

All meetings of the SELPA Governing Board shall be noticed in compliance with the Brown Act. All meetings shall be open to the public. Special meetings may be called by the Chair of

the SELPA Governing Board whenever necessary. Each member of the SELPA Governing Board must be notified of special meetings at least 48 hours in advance.

3. Agendas

The SELPA Governing Board Chair shall prepare all agendas of meetings in consultation with the SELPA Senior Administrator. Items may be placed on the agenda at the request of any SELPA Governing Board member or SELPA LEA member. Such requests must be made to the Chair at least five days in advance of a meeting.

4. Decision Making

Decisions shall be reached by a majority vote of the total Board.

5. Closed session may be called, subject to the rules of the Brown Act.

6. Quorum

A quorum for any meeting of the SELPA Governing Board is four members.

## **VI. AMENDMENT OF BY-LAWS**

The By-Laws may be amended at any regular meeting of the SELPA Governing Board by a two-thirds vote of the members, provided that the amendment has been submitted in writing at a prior meeting.