

SAN MATEO COUNTY
RESPONSIBLE LOCAL AGENCY

SAN MATEO COUNTY OFFICE OF EDUCATION

Jean Holbrook, Ed.D., County Superintendent of Schools

Sue Larramendy, Associate Superintendent, Administrative and Student Services

Carol Harriman, Senior Administrator, Special Education Services

SAN MATEO COUNTY BOARD OF EDUCATION

Susan Alvaro

Jim Cannon

Rhonda Ceccato

Beverly Gerard

Fred C. Leonard, Ed.D.

Ted Lempert

Guillermo (Memo) Morantes

SAN MATEO COUNTY
SELPA GOVERNING BOARD
2007
Members

Patrick Gemma	Sequoia Union High School District
Dr. David Hutt	San Bruno Park School District
Anne Campbell	Portola Valley School District
Barbara Olds	South San Francisco Unified School District
Dr. Barbara Wilson	Jefferson Elementary School District
Kenneth Ranella	Menlo Park City Elementary District
Dan Vinson	Woodside Elementary School District

SELPA STAFF

Lauren O’Leary	SELPA Senior Administrator
Jane Van Epps	Program Specialist

ADMINISTRATORS COUNCIL

Lynne Howe	Bayshore Elementary School District
Anne Le Page	Belmont Elementary School District
Jennifer Roberts	Brisbane Elementary School District
Lourdes Desai	Burlingame Elementary School District
Allan Kass	Cabrillo Unified School District
Bonnie Yamane	Hillsborough City School District
Brenda Smith	Jefferson School District
Richard Boitano	Jefferson Union High School District
Kristen Lindstrom	La Honda-Pescadero Unified School District
Seth Ceely	Las Lomas Elementary School District
Olivia Mandilk	Menlo Park City Elementary School District
Tracey Walsh	Millbrae Elementary School District
Ann Morton	Pacifica Elementary School District
Carolyn Schwartzbord	Portola Valley Elementary School District
Arthur Murray	Ravenswood City Elementary School District
Mary Maher	Redwood City Elementary School District
Pamela Robertson	San Bruno Park Elementary School District
Martha Coppinger	San Carlos Elementary School District
Geraldine Harge	San Mateo Foster City Elementary School District
Marvin Meyers	San Mateo Union High School District
Nikki Washington	Sequoia Union High School District
Ruth Eaton	South San Francisco Unified School District
Carolyn Schwartzbord	Woodside Elementary School District
Diane Tavenner	Summit Preparatory
Gaylen Raisler	Stanford Schools Corporation
Judith Tichy	Court & Community Schools
Bonnie Roberts	Early Childhood Education
Carol Pex	Integrated Programs/DIS
Andy Klase	Elementary Education

Vicki Palmer
Susan Larramendy
Carol Harriman
Lauren O'Leary
Jane Van Epps

Secondary Services
Associate Superintendent, Student Services Division
Senior Administrator, Special Education
SELPA Senior Administrator
SELPA Program Specialist

**COMMUNITY ADVISORY COMMITTEE FOR SPECIAL EDUCATION
SAN MATEO COUNTY SELPA**

SCHOOL DISTRICTS

BAYSHORE ELEMENTARY SCHOOL DISTRICT
TBD

BELMONT/REDWOOD SHORES ELEMENTARY SCHOOL DISTRICT
Cathy Nimri

BRISBANE ELEMENTARY SCHOOL DISTRICT
Margarita Gibson

BURLINGAME ELEMENTARY SCHOOL DISTRICT
Laurel Miranda

CABRILLO UNIFIED SCHOOL DISTRICT
Terri Carol

HILLSBOROUGH CITY SCHOOL DISTRICT
Lindsay Terzian

JEFFERSON ELEMENTARY
TBD

JEFFERSON UNION HIGH SCHOOL DISTRICT
TBD

LA HONDA-PESCADERO UNIFIED SCHOOL DISTRICT
TBD

LAS LOMITAS ELEMENTARY SCHOOL DISTRICT
TBD

MENLO PARK CITY ELEMENTARY SCHOOL DISTRICT
Muna Elias

MILLBRAE ELEMENTARY SCHOOL DISTRICT
TBD

PACIFICA ELEMENTARY SCHOOL DISTRICT
Teresa Taylor

PORTOLA VALLEY ELEMENTARY
TBD

RAVENSWOOD CITY ELEMENTARY SCHOOL DISTRICT
Sherry Flamer

REDWOOD CITY ELEMENTARY SCHOOL DISTRICT
Sheryl Munoz-Bergman

SAN BRUNO PARK ELEMENTARY SCHOOL DISTRICT
TBD

SAN CARLOS ELEMENTARY SCHOOL DISTRICT
TBD

SAN MATEO-FOSTER CITY ELEMENTARY SCHOOL DISTRICT
Denise Haas

SAN MATEO COUNTY PROGRAMS
Bonnie Roberts

SAN MATEO UNION HIGH SCHOOL DISTRICT
Marvin Meyers

SEQUOIA UNION HIGH SCHOOL DISTRICT
Margie Lawrence

SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT
TBD

WOODSIDE ELEMENTARY SCHOOL DISTRICT
Mary Ann Draeger

COMMUNITY AGENCIES

PENINSULA ASSOCIATION FOR RETARDED CHILDREN AND ADULTS (PARCA)
Sue Digre

LOCAL EDUCATION AGENCY PARTICIPANTS

DISTRICT

DATE OF BOARD APPROVAL

Bayshore Elementary School District
Belmont Elementary School District
Brisbane Elementary School District
Burlingame Elementary School District
Cabrillo Unified School District
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 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
Stanford Schools Corporation

**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 a school district.

**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

GOVERNANCE
EC 56195.19(a)(12)(D)

The San Mateo County Special Education Local Plan Area is composed of the twenty-three local school districts, two Independent LEA Charters, and the San Mateo County Office of Education. In adopting the completed Local Plan each school district and the County Office 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 districts 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 Local Plan Area.

Changes in the 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 county superintendent 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 school districts as participating agencies in the alternative plan. (E.C. 56195.1)
3. Approval of a proposed alternative plan by the county superintendent must be based on the capacity of the district(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 district(s). The district or districts 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 a district or a group of districts 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 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.

REGIONALIZED SERVICES TO LOCAL PROGRAMS 56205(b)(1)(F)

In order to implement the Local Plan, the SELPA Administrator and Program Specialists shall be considered “school officials and employees” in regards to access to student records.

Regionalized services shall include:

Program Specialist Services (E.C. 56368 (a)-(b)(5))

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 a specialized in-depth knowledge in preschool disabilities, career vocational development, or one or more areas of major disabling conditions. A Program Specialist may do all 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. Be responsible for assuring that pupils have full educational opportunity regardless of the district of residence.

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 in the SELPA.

Data collection and implementation of required Management Information Systems.

Curriculum development and support for special education programs and services in the SELPA.

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., district support to the classroom teacher who needs it, or training and instruction in the identified problem area.

Coordinating services with other agencies.

PUBLIC PARTICIPATION

56205(b)(4)

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

POLICY DEVELOPMENT PROCESS

Education Code 56200(c)(2) requires that the local plan for special education specify the responsibilities of each participating district and county office governing board in the policymaking process, the responsibilities of the superintendents of each participating district and county in the implementation of the plan, and the responsibilities of district and county administrators of special education in coordinating the administration of the local plan.

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 is comprised of representatives from each district 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 may prepare and recommend areas for policy development to the 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 Community Advisory Committee and other concerned community organizations. Each proposed policy shall be written and disseminated to the Administrators Council members prior to the meeting at which are commendation 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 Governance 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. The San Mateo County Office of Education Associate Superintendent of Student Services and the Special Education Senior Administrator serve as ex-officio members of the SELPA Governing Board.

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

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

RESPONSIBILITY OF LOCAL GOVERNING BOARDS
56205(a)(12)(D)(1)

1. Carry out the duties and responsibilities assigned to each LEA.
2. Annually review and approve special education programs and services of the Local Education Agency.
3. Operate local programs consistent with state and federal law and regulations and policies and procedures approved for the Special Education Local Plan Area.
4. Participate in the development and adoption of policies related to the governance and operation of the Special Education Local Plan Area.
5. Develop and adopt policies for the operation of the Local Education Agency, which are consistent with those of the Special Education Local Plan area, 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 Local Agency representatives to the Community Advisory Committee.
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 Local Agencies 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 Special Education Local Plan Area prior to review by the State Department of Education.
10. Ensure LEA compliance with all elements of the Local Plan.

SUPERINTENDENTS ASSOCIATION OF SAN MATEO COUNTY

Responsibilities of the Superintendent of the Local Education Agency:

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

RESPONSIBILITIES OF THE RESPONSIBLE LOCAL AGENCY SUPERINTENDENT 56205(a)(12)(D)(i)

The County Superintendent of Schools of San Mateo County shall be designated as the Superintendent of the Responsible Local Agency. The RLA Superintendent will serve as ex-officio 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.

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 Administrator for the Local Plan Area, SELPA Program Specialists. 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 Local Plan Area certificated staff.
3. Provide suitable office space for both certificated and classified employees of the SELPA.
4. Participate, as a member of the SELPA Governing Board, in the annual review of the SELPA Administrator.

**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 school districts 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 Special Education Local Plan Area.

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 districts 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 e-mail, 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 a district 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 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 Local Education Agency (LEA) governing boards and the State Board of Education (SBE).

2. Specific Responsibilities

The SELPA Governing Board shall be responsible for adopting policies relating to the Local Plan.

- a. The SELPA Governing Board shall evaluate the special education plan yearly in order to insure that all students with disabilities are being served.
- b. 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 1st 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 district 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 school districts 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 school districts such change will be subject to approval by eighty percent (80%) of the school district 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 and 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 the first Tuesday of every month during the regular school year unless otherwise noticed. 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 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

Procedure

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.

Revised and Approved 2/4/03

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 Community Advisory Committee in its capacity. Policy considerations are to be dealt with in accordance with the following procedure:

The SELPA Governing Board is charged with the responsibility of adopting appropriate policies regarding the implementation of the Local Plan for Special Education. Each district superintendent by participation in the Superintendents' Association 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 Comprehensive Plan for Special Education in accordance with the policies adopted by the SELPA Governing Board.

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 56205 (D) (ii)

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

Develop, implement, supervise, and provide for the evaluation of the Regionalized Services program.

Administer, coordinate, and implement the Special Education Local Plan, Management Information System, and all regionalized services

Serve as Secretary to the SELPA Governing Board and assist the Chairperson to develop the agenda and report minutes of the meetings.

Prepare an annual budget for Regionalized Services to be submitted to the SELPA Governing Board, in conjunction with the Annual Budget Plan.

Ensure the implementation of all federal, state and local responsibilities of the SELPA, including personnel development and procedural safeguards and other assurances.

Recommend employment of, assign, supervise, and evaluate staff employed by the SELPA.

Provide assistance to SELPA Administrators to carry out their responsibility to ensure that all pupils have access to full educational opportunity.

Provide necessary procedures and data to the RLA to allocate federal and state funds to the LEAs within the SELPA.

Provide support to the LEAs of the SELPA in their operation of special education programs and services.

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

Prepare program and fiscal reports required of the SELPA by the State; manage the CASEMIS data system to comply with all state requirements.

Schedule regular meetings of the SELPA Governing Board, Administrators Council and Community Advisory Committee for policy and budget development, support, and information sharing.

Develop and recommend to the Administrators Council a plan for personnel development including training for staff, parents, and members of CAC.

Coordinate procedures to assist LEAs with NPS/NPA services.

Provide support and assistance to Community Advisory Committee

Disseminate information to Administrators regarding pupil count, legislation, finance, and other State educational issues

Act as SELPA liaison with California Department of Education staff

Supervise SELPA Staff (Program Specialists, MIS/Computer Technician, Fiscal Analyst, Secretarial/Clerical Staff)

Oversee development and implementation of interagency agreements (Community Mental Health, CCS, Head Start, and Regional Centers)

Recruit and train educational surrogate parent volunteers

Supervision of SELPA Program Specialist services

EMPLOYMENT AND EVALUATION OF THE SELPA ADMINISTRATOR

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

EVALUATION

A. 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”.

B. Policy Statement 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.

C. Guidelines

1. The SELPA 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.
2. 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)

1. Rationale

The State has in place a system for review of the special education programs in the districts. It is the responsibility of the SELPA to support the delivery of effective programs and services in its districts, 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.

B. Policy Statement

The San Mateo County SELPA endeavors first to provide adequate information, resources, and support to all its member districts, 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.

C. Guidelines

1. The SELPA will ensure that adequate information related to all areas of compliance is available to all the member LEAs.
2. 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)

A. Rationale

One of the primary goals of the Individuals with Disabilities Education Act and its amendment of 1997 is to ensure that every child has access to the general curriculum. At the same time it defines special education as “specifically 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.

B. 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.

C. Guidelines

1. 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.
2. SELPA staff will support statewide and local efforts to pilot and implement curriculum options designed to support children with varying learning needs.
3. SELPA staff will be available to support students and their teachers whose needs for curricular support are beyond the district’s expertise.

DATA COLLECTION AND DEVELOPMENT OF MANAGEMENT INFORMATION SYSTEMS

A. 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.

B. 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.

C. Guidelines

1. The SELPA staff will support all the districts in the SELPA in their collection and reporting of required data.
2. The SELPA staff will strive to support a system which is responsive to the data needs of the district.
3. The SELPA staff will implement a continuous improvement model of data collection.

PERSONNEL DEVELOPMENT

A. 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.

B. 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 districts, 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 assessments needs.

PROGRAM SPECIALIST SERVICES

The distribution of Program Specialist personnel and services shall be provided in accordance with Education Code provisions. Allocation of program specialist funds will be administered by the Administrative Unit [EC56780, 56220(c)(1)].

Four districts and the San Mateo County Office of Education Special Education Programs keep their program specialist funds with the SELPA. The SELPA employs one (.1) FTE of a Program Specialist to serve one district. The remaining twenty two districts employ and provide their own program specialist staff and services.

Those districts providing their own program specialist services shall select, employ and supervise their own Program Specialists according to district policy and procedures. The Administrative Unit shall employ SELPA Program Specialists; employment policies and procedures of the San Mateo County Office will apply to these Program Specialists and the SELPA Administrator will provide supervision.

Program specialists are included in the Administrator Council meetings. 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:

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.

Coordinate curricular resources in a manner to make them available and effective for personnel who are in need of the resources.

In conjunction with the Administrators Council and the SELPA Administrator, assess program effectiveness to promote the program for student with disabilities.

Participate in school staff development, research, program development, and innovation or special methods and approaches.

Provide coordination, consultation, and program development in areas to which the program specialist is assigned.

Under the direction of the SELPA Administrator or District Administrator, assure the pupils have full educational opportunity, regardless of the district of residence in the Special Education Local Plan Area.

Serve on assessment teams and individualized education program teams as provided for in this plan.

Assist Local Education Agencies with non-public, non-sectarian and state school placements when requested.

SAN MATEO COUNTY SELPA COMMUNITY ADVISORY COMMITTEE (CAC)

The San Mateo County SELPA Community Advisory 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 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 Administrator, the Special Education Administrators Committee 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 with the district CAC representative about information to be shared with other parents.

**THE COMMUNITY ADVISORY COMMITTEE APPOINTMENT AND
MEMBERSHIP
56191**

The Community Advisory Committee shall consist of members appointed by the Local Agency 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, district 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 a school district are to be appointed by the governing board of the school district. 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.

TERM OF OFFICE

Each member of the Community Advisory Committee shall be appointed for a two-year term and may be reappointed to serve additional consecutive terms. A term constitutes any portion of a calendar year.

The Governing Board of each Local Education Agency will have the responsibility to operate those programs which have been assigned to the Local Agency through the annual budget plan developed for the Local Plan Area, maintain an awareness of the special education activities of the Local Plan through the Local Education Agency Superintendent and participate in the development and implementation of policy decisions as provided for in the Local Plan.

**SAN MATEO COUNTY
COMMUNITY ADVISORY COMMITTEE
BY-LAWS**

1. INTRODUCTION

The CAC is designed to represent both student and parent interest and to promote maximum interaction between the community, the schools, and the Department of Special Education. This CAC has as its members, parent representatives of students with special needs, general and special education personnel, public and private agency personnel and members from the community at large.

Community members provide a vital supportive role to educators through organized volunteer programs and through input from the parent/teacher level regarding the design and implementation of the Local Plan. Also, through the CAC, opportunities are provided for individuals to have input in the decisions that affect them. The CAC provides a forum where each member may have a part in shaping the future of the educational process as it is developed in their community.

2. TRAINING

To insure all members of the CAC are well informed of the importance of their position in an advisory capacity to the SELPA Governing Board; a program of continuing in-service will be an on-going part of scheduled CAC meetings. This program of in-service shall emphasize the importance of the role of the CAC in gaining community support for school-sponsored services and programs for individuals with exceptional needs. Training shall be a continuing process as new regulations regarding special education are introduced and for the benefit of new members as they join the CAC.

3. GENERAL PURPOSE

One of the main purposes of the CAC is to assure open and free flow of information from the Special Education administration to the entire community and in turn funnel information from the community to the Special Education administration. The CAC shall provide advisement to the special education administration regarding community opinions, concerns, and recommendations that will lead to the provision of quality special education services to individuals with special needs.

Article I

NAME AND LOCATION

- Section 1.0 The name of the organization shall be the San Mateo County Community Advisory Committee for Special Education hereinafter referred to as the CAC.
- Section 1.1 The location shall be within the San Mateo County Special Education Local Plan Area, hereinafter known as the SELPA.

Article II

PURPOSE

- Section 2.0 The purpose of the CAC shall be to represent broad interests in the community and to promote a maximum degree of interaction between all parties and agencies concerned with special education.

Article III

DUTIES

- Section 3.0 The CAC shall have the following duties:
1. Shall represent and support the interests of individuals with exceptional needs and their families
 2. Shall serve in an advisory capacity to the administration of the SELPA.
 3. Shall make recommendations in the development and implementation of the Local Plan for Special Education.
 4. Shall review data about programs under the Local Plan, shall make recommendations on annual priorities to be addressed under the Local Plan, and shall formulate suggestions for new and needed programs based on evaluation of the data.
 5. Shall review and analyze State/Self Program Review findings and, based upon those analyses, make recommendations to the SELPA for program improvement.
 6. Shall become informed about legislation on special education, the Local Plan for Special Education and about educational programs and services for individuals with exceptional needs available to San Mateo County.
 7. Shall assist in keeping parents, students, educators and the community informed about educational programs and services related to special education; raise community consciousness and increase community acceptance of the differences in learning abilities in children and the need for educational and vocational provisions to accommodate these differences.

8. Make recommendations that each Special Education program establish procedures and written guidelines for parents and interested people to volunteer as aides or assistants in the classroom.

Article IV

MEMBERSHIP AND APPOINTMENT PROCEDURES

- Section 4.0 The CAC Executive Committee will consist of the following:
1. Members
 - A. The CAC Officers: Chairperson, Vice-Chairperson, and Secretary
 - B. The immediate past Chairperson
 - C. SELPA Administrator (advisory capacity only)
 2. Purpose
 - A. The Executive Committee will meet to plan CAC meetings, and other activities and programs beneficial to the CAC
- Section 4.1 Membership may include the SELPA Administrator, and the CAC Chairperson representative, as non-voting members. Voting members shall include: parents of students in county office programs, and local school districts as well as to nonpublic agencies; students with exceptional needs, school personnel, individuals concerned with the interests of exceptional children and the CAC Chairperson for purposes of a tiebreaking vote.
- Section 4.2 The majority of the members shall be parents and the majority of parents shall have children in special education.
- Section 4.3 The voting members of the committee will be limited to twenty-three (23) parents from the local school districts, two (2) from county special schools, two (2) from nonpublic schools, four (4) teachers, two (2) students, and ten (10) representatives from private and public community agencies. The CAC may approve additional individuals from the community at large; not to exceed four (4) individuals. The Chairperson may be a voting member for purposes of a tie-breaking vote only.
- Section 4.4 Representatives from local school districts and the County Office shall be appointed/approved by their school board. Other representatives shall be selected by their peers when possible or shall apply to the CAC for approval. The entire CAC membership shall be approved by the SELPA Governing Board. For every voting member there shall be an appointed/approved alternate with voting rights in the absence of the regular member. Appointments to fill a vacancy shall be for the remainder of the existing term.
- Section 4.5 Membership shall be for at least two years. Terms shall be staggered.

Section 4.6 All proposed members shall be presented to the CAC for membership approval by the SELPA Governing Board.

Article V

MEETINGS

Section 5.0 The CAC shall meet as frequently as deemed necessary but no less than six (6) scheduled meetings each year.

Section 5.1 All meetings shall have prior notice and be open to the public.

Section 5.2 Unless the CAC decides otherwise, all meetings shall be held at the San Mateo County Office of Education.

Section 5.3 All members shall receive items for consideration and action at least two (2) working days in advance of all regular CAC meetings.

Section 5.4 A quorum shall exist when a majority of the CAC members present are parents.

Section 5.5 The chairperson shall not commit the CAC or its members to any action without a vote of the CAC. Any member may call for a vote by motion, if seconded.

Section 5.6 Emergency meetings may be called by the chairperson, provided each committee member is notified 48 hours in advance.

Section 5.7 Any member, including his/her alternate, who misses three (3) consecutive regular meetings without due cause, may be removed from the CAC membership at the fourth meeting as determined by the CAC members.

Section 5.8 Every act or decision by a majority of the members present at a meeting duly held at which a quorum is present, is the act of the CAC unless the by-laws require a greater number.

Section 5.9 The last scheduled CAC meeting of the school year shall be for the purpose of selecting CAC officers for the coming school year.

Article VI

OFFICERS

Section 6.0 There shall be the following officers: Chairperson, Vice-Chairperson and Secretary. All officers shall be parents of students in the County and Local School Districts as well as in nonpublic agencies. These officers shall comprise the Executive Committee. These positions may not be held by administrators with the San Mateo County SELPA.

Section 6.1 The term of office shall be one year at a minimum.

Section 6.2 The major duties of the officers are to collectively implement major decisions regarding issues related to the CAC.

Chairperson:

Facilitate CAC meetings. Develop the agenda, assisted by Executive Committee. Assign duties and appoint subcommittees; serve as a CAC spokesperson; serve as ex-officio member of all committees; act as the tie-breaking vote. Perform other duties, as appropriate.

Vice-Chairperson:

Assist the Chairperson and in his or her absence serve as Chairperson; serve as ex-officio member of all committees. Preside over the Announcement portion of the CAC meetings and keep Community Bulletin Board updated with current activities and resource information. Perform other duties, as appropriate.

Secretary:

Record/Maintain minutes of all CAC proceedings and submit them for CAC approval. Keep committee and subcommittee reports. Receive and transmit CAC correspondence and materials designed by the members. Keep a current membership and subcommittee membership list. (The secretary may delegate this task to CAC staff). Perform other duties, as appropriate.

Section 6.3 Officer unable to fulfill or complete responsibilities:

In the event that an officer is unable to fulfill or complete his/her elected term, the Chairperson shall be empowered to appoint a member to complete the term of any office that becomes vacant between elections.

Article VII

SUB-COMMITTEES

Section 7.0 The authority and duties of sub-committees shall be delegated by the CAC.

Section 7.1 A quorum shall consist of a majority of subcommittee members.

Section 7.2 The Chairperson shall appoint all subcommittees as well as subcommittee chairperson.

Section 7.3 Business shall be conducted in a manner deemed appropriate.

Section 7.4 Committees shall not take action without a meeting.

Section 7.5 Committee members shall receive written or personal notification of all meetings at least ten working days prior to the meeting. The committee Chairperson may call a meeting on less the ten days notice provided the members are personally contacted.

Section 7.6 Each subcommittee shall be composed of a majority of parents.

Article VIII

EFFECTIVE DATE OF BY-LAWS

Section 8.0 These By-laws shall become effective immediately upon their ratification. Amendments to these By-laws shall become effective at the time of CAC adoption unless a later effective date is stipulated by the CAC.

Section 8.1 These By-laws may be altered, amended or repealed and new by-laws adopted at any special or regular meeting at which a quorum is present. Written notice must be provided of such meeting and of the intention to change the By-laws is delivered to such member at least ten days prior to the date of such meeting; or by written consent of all members without a meeting. All amendments shall be submitted to the CAC in writing.

Adoption of the amendment(s) shall require a 2/3 vote of all CAC members present at the meeting.

Article IX

CONSTRUCTION

Section 9.0 As used in these By-laws:

1. Present tense includes past and future tenses, and future includes present.
2. Masculine gender includes feminine and neuter.
3. Singular number includes plural, and plural includes singular.
4. The word “shall” is mandatory and the word “may” is permissive.

Revised 11/98

ANNUAL BUDGET PLANS

State and Federal funds are allocated the member LEAs for the operation of special education programs pursuant to an agreed upon allocation plan. Each LEA in the SELPA assures the maintenance of fiscal support and understands that Part B funds will not be used to reduce the level of support beyond the amount permitted under federal aw and regulations.

State and federal 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 plans and service delivery plans.

LEAs will conform with the annual reporting procedures for state and federal funds. Pursuant to AB 1200 the county superintendent is responsible for ensuring the fiscal solvency of member school districts.

Use of Property Tax 26205(b)(i)(G)

A portion of county property tax remains with the county office of education special education programs to offset the cost of special education and related services for students served by the county.

COORDINATING SERVICES WITH OTHER PUBLIC AGENCIES

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

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 San Mateo County Mental Health

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 Part C Early Intervention

**INTERAGENCY
MEMORANDUM OF UNDERSTANDING
BETWEEN
GGRC AND SAN MATEO COUNTY SELPA
REGARDING PART C SERVICES**

I. AGREEMENT

The parties to this agreement are Golden Gate Regional Center (GGRC) and the San Mateo County Special Education Local Plan Area (SELPA). The San Mateo County Office of Education (SMCOE) is the local education agency (LEA) that administers the Early Start Program through the SELPA.

This agreement applies to activities and services performed on behalf of infants and toddlers birth to thirty six months of age, and their families who are eligible for early intervention services under Title 14, California Early Intervention Services Act, Chapter 4, Section 95014, and Part C 303.16.303.300: (34 CFR Part 303.)

II. PURPOSE

The purpose of this agreement is to describe selected policies and procedures of Golden Gate Regional Center (GGRC) San Mateo County Special Education Local Plan Area (SELPA), relating to the implementation of Part C of the Individuals with Disabilities Education Act (IDEA), hereinafter referred to as Part C. GGRC and SELPA will work cooperatively with parents and with other appropriate agencies to enhance coordination, delivery, and quality of services for families. Specifically, this agreement will define the obligation for provision of services of each agency, the financial responsibilities of each agency, procedures for resolving disputes, and other required components necessary to ensure effective cooperation and coordination between Education and Regional Center.

III. INTERAGENCY COLLABORATION

A. Financial Responsibility

GGRC and SELPA will operate within the provisions of the State Interagency Agreement executed between the Department of Developmental Services and the California Department of Education in July 2000. Due to the importance of provisions “Payor of Last Resort”, those pertinent sections of the state interagency agreement are presented below:

“Payor of Last Resort” means the Regional Center or Local Education Agency (SMCOE) that is ultimately responsible to arrange, provide, or pay for appropriate early intervention services, which are defined in 34 CFR, Section 303.12 and listed on and Individualized Family Service Plan (IFSP) as a required service. All other providers or payors will have been considered.

Local Education Agency: The SMCOE will be the payor of last resort for those infants with solely visual, hearing or severe orthopedic impairment, or any combination thereof, who meet the criteria in Sections 56026 and 56026.5 of the Education Code and in Subdivisions (a) (b) (d) or (e), of Section 3030 and Section 3031 of Title 5 of the California Code of Regulations.

Regional Center: The Regional Center will be the payor of last resort for all Part C eligible infants. This includes dually eligible infants who may be eligible for Regional Center and eligible for early intervention services from SMCOE, due to low incidence disabilities. It will not include infants with solely visual, hearing, or severe orthopedic impairments, or any combination thereof who meet the criteria in, Sections 56026 and 56026.5 of the Education Code and in Subdivisions (a) (b)(d) or (e), of Section 3030 and Section 3031 of Title 5 of the California Code of Regulations.(See Title 14, California Early Intervention Services Act, Chapter 4, Section 95014, and Part C 303.16.303.300)

GGRC is the designated payor of last resort for infants served by GGRC and infants jointly served by GGRC and the SMCOE. The SMCOE shall provide services to infants who have solely low incidence disabilities and/or are dually eligible up to the SMCOE maximum funded capacity of 29 infants. Once the SMCOE reaches its maximum funded capacity, it will refer dually eligible infants and families to GGRC who will then assume responsibility for providing appropriate Part C services, except for children with solely low incidence disabilities. SMCOE and GGRC will share information about available openings under maximum funded capacity.

B. Information Exchange

GGRC and SMCOE STAFF will have regularly scheduled meetings to exchange information regarding infant and family needs and services and information about the status of the SMCOE maximum funded capacity. Both agencies also agree to participate in regular meetings to discuss Early Start service delivery, agency procedures, changes in funding, and other pertinent matters that may affect services to mutual clients. It is also the forum for discussion regarding new resource development and the identification of gaps in services and other matters of mutual concern.

GGRC will provide the local school districts within the SMCOE SELPA with information and records for infants beginning at age 2.6 who may be eligible for services under Part B (see Transition information).

For purposes of this MOU, the contacts for GGRC will be the Assistant Chief of Social Work Services, San Mateo County and the Early Start Supervisor, and for SMCOE the contacts will be the SELPA Administrator and the Director of Educational Services/Early Start. For purposes of transition to PART B services, a listing of District Special Education Directors will be sent to GGRC at least annually.

IV. PROGRAM IMPLEMENTATION

A. Referral Process

GGRC will be the single point of entry for most eligible infants; however, the SMCOE will provide intake of infants with solely low incidence disabilities. The agency receiving the initial referral will contact the family, and notify the other agency of the referral if it appears that the child may be eligible for services from the other agency. The interagency referral form agreed upon by GGRC and SMCOE will be exchanged, reviewed and acted upon within appropriate timelines. Every effort will be made to work collaboratively with parents to enhance communication among families and agencies.

Referrals to GGRC Early Start will be directed to the:

Intake Supervisor
Golden Gate Regional Center
3130 La Selva Street Suite 202
San Mateo CA 94403
Phone: 650.574.9232 Fax: 650.522.8901

Referrals to the SMCOE/ Early Start Program will be directed to the:

Director, Educational Services/Early Start
San Mateo County Schools Early Start Program
65 Tower Road
San Mateo, CA 94402
Phone: 650.573.4010 Fax: 650.573.4056

Referrals will be accepted at all times during the year by both agencies. The 45 day intake timeline begins on the day the complete referral is received, as documented on each agency's Early Start Referral Form. (For children in Foster Placement, written consent must be received by the person(s) holding the Educational Rights for the child prior to initiating the referral and subsequent assessment). Referrals between GGRC and SMCOE must be exchanged (as indicated) within (5) working days of the receipt of the complete referral.

When the complete referral is received by GGRC or the SMCOE, a service coordinator will be assigned by the Early Start Program Coordinator for that agency (see Service Coordination).

Once a complete referral is received, and a service coordinator is assigned, an assessment for eligibility will be scheduled by the service coordinator.

B. Service Coordination

For children with solely low incidence disabilities, SMCOE will provide the service coordination. GGRC will assume responsibility for service coordination of children eligible for services who do not have a solely low incidence disability. Both agencies will carry out service coordination responsibilities as noted in Section 52121 in the Early Start Regulations, and will collaboratively determine which agency is responsible for service coordination for children who are dually eligible.

C. Initial Assessment Procedures and Exchange of Information

With written parental consent, qualified Early Intervention Staff from the appropriate agency will provide assessments based on the following considerations: which agency received the referral, the priorities, needs and concerns of the family, the agency most likely to have services for which the child and family may be eligible, and the status of the mandated capacity for education. The assessment may be conducted jointly, with parental consent, if services are likely to be provided by both agencies. SMCOE has responsibility for assessments for children with solely low incidence disabilities and/or children who may be dually eligible until SMCOE reaches the funded capacity of 29 children. GGRC has responsibility of assessments for all other children who may be eligible for

GGRC and for children who may be jointly eligible beyond the SMCOE capacity of 29 children. Assessments will be conducted in accordance with 17 CCR, Sections 52082, 52084, and 52086. Assessment data and information obtained by one agency will be made available to the other agency for use in determining eligibility and service needs, with parent permission.

Note: If a referral is received by GGRC or SMCOE of a child previously unknown to either agency who is within 6 months of turning age 3, an assessment will be conducted, and an initial IFSP will be developed, which includes transition planning and a date for referral to the child's local school district.

D. Individualized Family Service Plans (IFSP)

Both parties to this Agreement will participate in the multi-agency IFSP meeting for any child served by both agencies. Neither agency will make a commitment for the other agency.

The initial IFSP meeting will be held within 45 days of the documented receipt of the complete referral. The IFSP will contain current information on the child's level of performance, the family's priorities, needs and concerns, potential outcomes, and services to be provided. A schedule of services will be noted on the IFSP, with breaks in service indicated. The IFSP team shall determine procedures to ensure the provision of necessary services during periods of breaks when services are required as noted on the IFSP. GGRC and SMCOE will provide services to eligible children as described in the IFSP until the child turns age 3.

The service coordinator will provide written notice of all IFSP meetings to the family and to parties providing services. Every attempt will be made to schedule meetings for multi-agency participation, with consideration of appropriate timelines. The parents and GGRC and SMCOE will participate in the annual IFSP and 6 month review meetings for any child served by both agencies. When a service is being requested of either agency whose representative cannot attend the IFSP meeting or be otherwise available, the meeting must be rescheduled. Agreements cannot be made without participation by both agencies.

Both agencies will follow rules and regulations in accordance with Subchapter 3, Articles 1 and 2, Section 52100, et seq. Any changes made to the IFSP must be documented and a copy sent to the other agency.

If English is not the primary language of the family, it is agreed the Service Coordinator's agency will provide the services of an interpreter. The IFSP will indicate necessary translation services.

E. Transition Procedures

When a child receiving Early Start Services turns 2 years 6 months, the service coordinator from the responsible agency will initiate the transition process from Part C to Part B services of the Individuals with Disabilities Education Act (IDEA). This process shall include:

An IFSP meeting shall be held with the parent of a child who may be eligible for Special Education and related services under Part B of the IDEA. The parent is notified that transition planning will

occur within the next 3-6 months. Parents are notified of the termination of early start funding as of the child's third birthday.

The LEA where the child resides is notified that there will be a transition planning meeting requiring the attendance of an LEA representative before the child is 2 years 9 months, or at the discretion of all parties, up to 6 months prior to the child's third birthday, to specify the transition steps necessary for movement into services of Part B IDEA. Within 30 days of the parent and LEA being notified, the family, service coordinator, and LEA shall agree on the date for the IFSP meeting to specify the transition steps necessary for movement into services under Part B.

A referral for evaluation and assessment for services under Part B of the IDEA, Title 20 United States Code Sections 1400-1420, no later than the time that the child is 2 years 9 months of age or before the LEA's break in school services if the child will become 3 years of age during a break in school services. The transition IFSP shall contain steps necessary to satisfy the referral and the IEP development requirements contained in Education Code Sections 56321 and 56344.

GGRC will complete evaluations by age 3 to determine if children will be continue to be served over the age of 3 and will develop Person Centered Individual Program Plans to ensure continuation of services under the Lanterman Act.

At parent request, or for infants whom GGRC and/or SMCOE determines through evaluations completed at age 2.6 will likely not be eligible for Part B services through the LEA or continue to be eligible for GGRC ongoing services, information will be given to the family for alternative services.

Develop an IEP as appropriate before the child's third birthday. In the case of children turning 3 after the last day of the regular or extended school year, or during LEA vacation breaks, IEP meetings should be held before the break with implementation of services to begin when school resumes.

Implement IEP on child's third birthday. Regional Centers may continue providing or purchasing services for a preschooler who has been determined eligible for Regional Center services until the beginning of the next school term after the child's 3rd birthday.

For children who are referred to GGRC and or/SMCOE between the ages of 2 years 6 months and 2 years 10.5 months, transition planning will occur simultaneously with the development of the initial IFSP. The LEA will be notified at the time of eligibility. For children who are referred to GGRC 2 years 10.5 months and older, a referral will be made directly to the LEA by parents, GGRC and the SMCOE, and an assessment for GGRC ongoing services will be completed as appropriate. It is the responsibility of the IFSP service coordinator to provide the family with transition information as required in Title 17 CCR 52112. Both parties agree to abide by the timetable of activities outlined in the IFSP transition plan document.

F. Transfer of Infants with Existing IFSP's

In accordance with 17 CCR Section 52111, each agency, as appropriate shall arrange for delivery of similar early intervention services as soon as possible for children who have moved to San Mateo County. Assignment of the service provider will be determined using referral procedures as described above, and IFSP review meeting will be held within 30 days.

G. Coordination of Child Find Activities

GGRC and SMCOE will provide early intervention services to all eligible children within San Mateo County and will coordinate child find efforts within the community. Every effort will be made to provide information to the general public and to public and private agencies about the availability of early intervention services throughout the San Mateo County Local Plan Area.

Each agency, as appropriate agrees to conduct specific efforts to inform pediatricians, hospital neonatal intensive care units, head start programs, child care programs, and operators of private preschools licensed by state and local agencies of the availability of programs providing intensive services for children ranging in age from 0-3 years. GGRC and SMCOE shall inform primary referral sources of the:

Eligibility criteria for early intervention services;

Types of early intervention services available through the Early Start Program;

Names of contact persons and telephone numbers for GGRC and the SMCOE Early Start program; and Federal requirement that a referral shall be made to the GGRC or SMCOE Early Start Program within (2) working days of identification of an infant or toddler who is in need of early intervention services.

Referrals of children who may be in need of early intervention services will be actively solicited from community members. Efforts will be ongoing to identified children who are not yet in programs or children who have left the program prior to 2 years 11 months who may be eligible for services. The family will be informed on how to access services.

V. Surrogate Parents

The San Mateo County SELPA will continue to implement a Surrogate Parent program in accordance with the California Education Code. Staff development will include requirements contained in 17 CCR Section 52175. The IFSP service coordinator will arrange for a Surrogate Parent if needed.

VI. Procedural Safeguards

Each agency shall provide annually a written notification to all children and families enrolled in Early Start Programs within San Mateo County of their right to appropriate early intervention services as stipulated in State and Federal statute.

VII. Dispute Resolution

The following steps will be followed if a dispute arises between GGRC and the SELPA/SMCOE as to:

The eligibility of the child;

Which agency is responsible for the child and family evaluation and assessment, service coordination, and the development and implementation of the IFSP; and/or

Which agency is responsible for the provision or purchase of early intervention services.

Step (a): Every attempt will be made to resolve the dispute at the lowest possible administrative level starting with the supervisory level up to the agency Executive Director at GGRC and San Mateo County SELPA Administrator.

Step (b): If the resolution of the dispute is not achieved, the two parties will request technical assistance from Department of Developmental Services (DDS) and California Department of Education (CDE).

Step (c): If resolution cannot be reached within 120 calendar days for the date of request for mediation/facilitation or technical assistance; the issue will be jointly referred to DDS and CDE for a state-level review and resolution.

Step (d): The state level review will be conducted jointly by DDS and CDE and a decision rendered within 120 calendar days of receipt of the written request for review and resolution.

During the pendency of a dispute involving Early Intervention Services, the child will continue to receive the Early Intervention Services currently stated on the IFSP and agreed to by the parent. If the mediation or due process hearing involved the initiation of a service, the child shall receive those services that are not in dispute. Nothing in these dispute resolution procedures shall preclude a parent or an agency from initiating due process or complaint procedures in accordance with 34CFR Sections 303.420-303.425 or 34CFR Sections 303.510-303.512 respectively.

VIII. AGREEMENT IMPLEMENTATION

Both agencies agree to joint staff development regarding the implementation of Part C and agree to notify the other party of any conferences or workshops pertinent to the implementation of Part C. Early Start program staff and administrators of GGRC and SELPA/SMCOE as well as the local school district special education directors and/or their designees will receive a copy of this Agreement and be informed of the contents of this Agreement for implementation. Future training may be held if new procedures are developed or this Agreement is substantially modified.

IX. TERMS OF AGREEMENT AND REVIEW SCHEDULE

This agreement shall be in effect from _____, 2006. Both parties will review this agreement annually and agree to its implementation.

*James Shorter,
Executive Director
Golden Gate Regional Center*

*Dr. Jean Holbrook,
Superintendent
San Mateo County Office of Education*

*Dennis Nunan,
Assistant Chief Social Work
Services*

*Lauren O'Leary,
San Mateo County
SELPA Administrator*

*Michele Wilson, Early Start
Supervisor, Golden Gate
Regional Center*

*Bonnie Roberts,
Director, Educational
Services/Early Start*