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LOCAL PLAN

Section B: Governance and Administration

SPECIAL EDUCATION LOCAL PLAN AREA



California Department of Education

Special Education Division

SELPA Stockton City Unified SELPA

Fiscal Year 2023-24

B. Governance and Administration

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

Participating Local Educational Agencies

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

Special Education Local Plan Area—Local Plan Requirements

1. Describe the geographic service area covered by the local plan: [EC 56195.1(d); EC 56195.1(a)(1); EC 56211; EC 56212]

The Stockton Unified School District SELPA is a single district SELPA located in San Joaquin County. There are approximately 5693 students with disabilities enrolled in the SELPA, ages 3-21 years.

The Stockton Unified School District has an enrollment of approximately 34,000 students who either reside within the Stockton Unified School District boundaries or attend on an inter-district permit.

2. Describe the SELPA regional governance and administrative structure of the local plan. Clearly define the roles and structure of a multi-LEA governing body, or single LEA administration as applicable: [EC 56195.1(b)(1)-(3)(c); EC 56205(a)(12)]

Stockton Unified School District SELPA is a Single District SELPA and is governed by the Board of Education of the Stockton Unified School District. The Board is comprised of five voting members. The Governing Board approves the Local Plan, which includes the Annual Budget and Services Plan, at public board meetings. The Governing Board is responsible for the special Education Programs operated within its jurisdiction. The Stockton Unified School District Board of Education: 1.) exercises authority over, assumes responsibility for, and is fiscally accountable for special education programs operated by the SELPA. 2.) participates in the governance of the SELPA through its designated representative, the Special Education/SELPA Executive Director.

The Governing Board establishes District board policy, monitors student achievement, and also establishes annual District goals. The Governing Board approves the hiring of personnel, approves the budget and expenditures, and approves all other items under its purview. The Governing Board approves the hiring of SELPA Executive Director, who reports directly to the Assistant Superintendent of the Student Services Division. The Special Education/SELPA Executive Director is tasked with the responsibility for ensuring that eligible students within the SELPA are provided with a free appropriate public education and that all federal and state requirements regarding students with disabilities, aged 3 through 21 years, who reside in the district, including children who have been suspended or expelled or placed by the district in a nonpublic, nonsectarian school, are met. Furthermore, the SELPA is responsible for administering services and programs for infants with solely visual, hearing, and severe orthopedic impairments and any combination thereof, who meet the criteria of the Education Code.

The Stockton Unified School District is designated as its own Administrative Unit (AU) for the SELPA. It is responsible for administrative functions such as, but not limited to:

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- Receipt and distribution of special education funds for the operation of special education programs and services;
- Receipt and distribution of special education funds to accounts exclusively established for SELPA use;
- The employment of necessary staff to support SELPA functions.

3. Describe the SELPA's regional policy making process. Clearly define the roles of a multi-LEA governing body, or single LEA administration as applicable related to the policy making process for coordinating and implementing the local plan: [EC 56195.7(i)(j)(1)(2)]

Policies governing Stockton Unified School District SELPA shall be adopted by the Stockton Unified School District Board of Education and are included as part of the Local Plan. Input may be received from parents, staff, public and nonpublic agencies and members of the public at large. The Community Advisory Committee (CAC) shall review the Stockton Unified School District Local Plan and recommend modifications as necessary. All such modifications shall be subject to the input process prior to incorporation in the plan. The Stockton Unified SELPA Executive Director, or his/her designee, shall assist with these reviews. Policies addressing Stockton Unified School District LEA responsibilities shall include, but not limited to:

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

4. Clearly define the roles of the County Office of Education (COE) as applicable, and/or any other administrative supports necessary to coordinate and implement the local plan: [EC 56195.1(c); EC 56205(a)(12)(D)(i); EC 56195.5]

The San Joaquin County of Education provides support to the Stockton Unified School District SELPA in the following ways:

- Specialized programs for students with disabilities
- Staff development
- Legal and fiscal guidance
- Child Find support

Additionally, the County office of education is responsible for approving the local plan in accordance with EC 56140.

- Post on the Internet Web site of the county office any local plan, annual budget plan, annual service plan, and annual assurances support plan upon approval of the county office, and any updates or revisions to the plans upon approval of the county office.

- Initiate and submit to the Superintendent a countywide plan for special education that demonstrates the coordination of all local plans submitted pursuant to Section 56205 and that ensures that all individuals with exceptional needs residing within the county, including those enrolled in alternative education programs, including, but not limited to, alternative schools, charter schools, opportunity schools and classes, community day schools operated by districts, community schools operated by county offices of education, and juvenile court schools, will have access to appropriate special education programs and related services. However, a county office shall not be required to submit a countywide plan when all the districts within the county elect to submit a single local plan.

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

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

- Whether the local plan adheres to the guidelines established pursuant to Section 56122 for the development of local plans.
- Whether the local plan contains all of the required components as detailed in Section 56205.
- Participate in the state on-site review of the district's implementation of an approved local plan.
- Join with districts in the county that elect to submit a plan or plans pursuant to subdivision (c) of Section 56195.1. Any plan may include more than one county, and districts located in more than one county. Nothing in this subdivision shall be construed to limit the authority of a county office to enter into other agreements with these districts and other districts to provide services relating to the education of individuals with exceptional needs.

For each special education local plan area located within the jurisdiction of the county office of education that has submitted a revised local plan pursuant to Section 56836.03, the county office shall comply with Section 48850, as it relates to individuals with exceptional needs, by making available to agencies that place children in licensed children's institutions.

5. Does the SELPA have policies and procedures that allow for the participation of charter schools in the local plan? [EC 56207.5]

☒ Yes

☐ No

If No, explain why the SELPA does not have the policy and procedures.

A request by a charter school to participate, as a local educational agency, in the SELPA may not be treated any differently from a similar request made by a school district. In reviewing and approving a request by a charter school to participate as a local education agency in the SELPA, the following requirements shall apply pursuant to Education Code section 56207.5 and applicable Board Policies:

The SELPA shall fully comply with County Office requirements under Education Code section 56140

The charter school shall participate in State and Federal funding for special education, and the allocation plan developed pursuant to Education Code requirements, in the same manner as the SELPA (See Education Code sections 56195.7 and 56836.05)

The charter school shall participate in governance of the SELPA as provided in Education Code section 56207.5

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6. Identify and describe the representation and participation of the SELPA community advisory committee (CAC) pursuant to EC Section 56190 in the development of the local plan: [EC 56194(a)(b)(d); EC 56195.9(a)]

The Community Advisory Committee (CAC) for the Stockton Unified School District SELPA has been established in accordance with EC 5619 and has adopted by-laws consistent with these requirements. The CAC is composed of parents of individuals with exceptional needs enrolled in public or private schools, parents of other students enrolled in schools, students and adults with disabilities, general and special education teachers, other school personnel, representatives of public and private agencies and persons concerned with the needs of individuals with exceptional needs. The majority of the committee is composed of parents of students enrolled in the schools within the Local Plan Area (including charter schools) and a majority of parents of students with exceptional needs.

The Responsibilities of the Community Advisory Committee:

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

Substantive changes affecting the provisions of the Governance and Administration section of the Special Education Local Plan require an amendment to Section B. At a minimum, a SELPA must amend Section B when:

- Deemed necessary by the CDE in response to new legislative requirements, new interpretations by the courts, or an official finding of noncompliance with federal law, state law, or regulations determined by the CDE.
- Changes occur at the local level that affect the implementation of provisions of a previously approved local plan.

An amendment to Section B must be reviewed by the CAC, approved by all applicable parties, and must be adopted at a public hearing by all participating LEAs and the SELPA.

Every three years, each SELPA must review the previous CDE-approved local plan. If revisions are required to accurately reflect SELPA policies, procedures, and administrative functions; Sections A and B, including all applicable Attachments and Certifications, must be submitted with sufficient time for the CDE to approve the revised local plan prior to the beginning of the subsequent fiscal year (e.g., If a three year review is due during fiscal year 2023 -24, revisions to the local plan must be submitted in 2023 -24 with sufficient time for the CDE to approve by July 1, 2024.).

7. Describe the SELPA's process for regular consultations regarding the plan development with representative of special education and regular education teachers, and administrators selected by the groups they represent and parent members of the CAC: [EC 56205(a)(12)(E); EC 56205(b)(7)]

The Local Plan shall be developed and updated cooperatively by a committee of representatives of special and general education teachers and administrators, and representatives of SELPA charter schools selected by the groups they represent and with participation by parent members of the community advisory committee.

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Within the Stockton Unified School District SELPA, the achievement of students with disabilities and special education program development is discussed in conjunction with the development of the annual Local Control Accountability Plan (LCAP). The LCAP committees include representatives from both general education and special education. Additionally, each year, the chair of the LCAP committee meets with the Special Education CAC and solicits their input regarding needs and priorities for students with disabilities.

8. Identify and describe the responsible local agency (RLA), Administrative Unit (AU), or other agency who is responsible for performing tasks such as the receipt and distribution of funds, provision of administrative support, and coordination and implementation of the plan: [EC 56836.01(a)(b); EC 56205(a)(12)(D)(ii); EC 56195(b)(3); EC 56030]

As a single district SELPA, the Responsible Local Agency (RLA) and the Administrative Unit (AU) are the Stockton Unified School District. The AU is governed by the Board of Education of the Stockton Unified School District. The Assistant Superintendent of Business Services and the Assistant Superintendent of the Student Services Division, Special Education/SELPA Executive Director or designee are responsible for monitoring on an annual basis the appropriate use of all funds allocated for special education programs. Final determinations and action regarding the appropriate use of special education funds shall be made through the Annual Budget Plan process. Funds allocated for special education programs shall be used for services to students with disabilities.

9. Describe the contractual agreements and the SELPA's system for determining the responsibility of participating agency for the education of each student with special needs residing within the geographical area served by the plan: [EC 56195.7. EC 56195.1(b)(c)]

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

The SELPA shall consider the needs of the individual student and the recommendations of the IEP team when entering into agreements with nonpublic, nonsectarian schools or agencies. The IEP team shall remain accountable for monitoring the progress of students placed in non-public, non-sectarian programs, toward the goals identified in each student's IEP.

10. For multi-LEA local plans, specify:

- a. The responsibilities of each participating COE and LEA governing board in the policymaking process: [EC 56205(a)(12)(D)(i)]

N/A

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- b. The responsibilities of the superintendents of each participating LEA and COE in the implementation of the local plan: [EC 56205(a)(12)(D)(i)]

N/A

- c. The responsibilities of district and county administrators of special education in coordinating the administration of the local plan: [EC 56205(a)(12)(D)(i)]

N/A

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

- a. The hiring, supervision, evaluation, and discipline of the SELPA administrator and staff employed by the AU in support of the local plan: [EC 56205(a)(12)(D)(ii)(I)]

SELPA Executive Director is hired, evaluated, and disciplined by the Assistant Superintendent of Education Services of the Stockton Unified School District. The other District staff that support the local plan are hired, evaluated and disciplined in accordance with procedures developed and administered by the Human Resources Department.

- b. The local method used to distribute federal and state funds to the SELPA RLA/AU and to LEAs within the SELPA: [EC 56205(a)(12)(D)(ii)(II); EC 56195.7(i)]

As a single district SELPA, the special education funds are part of the adopted budget each year. All state and federal monies designated for special education are accrued and spent in accordance with the adopted annual budget and service plan and applicable state and federal requirements.

- c. The operation of special education programs: [EC 56205(a)(12)(D)(ii)(III)]

Following a public hearing, the Governing Board approves the annual budget and service plan at a public annual meeting with the input of staff and community stakeholders. The Assistant Superintendent, Special Education/SELPA Executive Director maintains responsibility for the oversight and operations of special education programs.

- d. Monitoring the appropriate use of federal, state, and local funds allocated for special education programs: [EC 56205(a)(12)(D)(ii)(IV)]

The Assistant Superintendent of Business Services and the SELPA Executive Director or designee are responsible for monitoring on an annual basis the appropriate use of all funds allocated for special education programs. Final determinations and action regarding the appropriate use of special education funds shall be made through the Annual Budget Plan process. Funds allocated for special education programs shall be used for services to students with disabilities and are part of the district annual audit process.

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12. Describe how specialized equipment and services will be distributed within the SELPA in a manner that minimizes the necessity to serve students in isolated sites and maximizes the opportunities to serve students in the least restrictive environments: [EC 56206]

The Stockton Unified School District strives to provide special education services and supports to students in the Least Restrictive Environment and to the extent possible, in a student's home school or school of choice. Unless a student's IEP team determines that a student requires a specialized program or placement that is not their home school or school of choice, specialized equipment and services follow students to their home school or school of choice.

Policies, Procedures, and Programs

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

1. Free Appropriate Public Education: 20 USC Section 1412(a)(1); EC 56205(a)(1)

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

2. Full Educational Opportunity: 20 USC Section 1412(a)(2); EC 56205(a)(2)

Policy/Procedure Number:

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Document Title:

Document Location:

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

☒ Yes ☐ No

3. Child Find: 20 USC Section 1412(a)(3); EC 56205(a)(3)

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

4. Individualized Education Program (IEP) and Individualized Family Service Plan (IFSP): 20 USC Section 1412(a)(4); EC 56205(a)(4)

Policy/Procedure Number:

Document Title:

Document Location:

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

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☒ Yes ☐ No

5. Least Restrictive Environment: USC Section 1412(a)(5); EC 56205(a)(5)

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

6. Procedural Safeguards: 20 USC Section 1412(a)(6); EC 56205(a)(6)

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

7. Evaluation: 20 USC Section 1412(a)(7); EC 56205(a)(7)

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

8. Confidentiality: 20 USC Section 1412(a)(8); EC 56205(a)(8)

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

9. Part C to Part B Transition: 20 USC Section 1412(a)(9); EC 56205(a)(9)

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

10. Private Schools: 20 USC Section 1412(a)(10); EC 56205(a)(10)

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Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

11. Local Compliance Assurances: 20 USC Section 1412(a)(11); EC 56205(a)(11)

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

12. Interagency: 20 USC Section 1412(a)(12); EC 56205(a)(12)(D)(iii)

Policy/Procedure Number:

Document Title:

Document Location:

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

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☒ Yes ☐ No

13. Governance: 20 USC Section 1412(a)(13); EC 56205(a)(12)

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

14. Personnel Qualifications; EC 56205(a)(13)

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

15. Performance Goals and Indicators: 20 USC Section 1412(a)(15); EC 56205(a)(14)

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

16. Participation in Assessments: 20 USC Section 1412(a)(16); EC 56205(a)(15)

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

17. Supplementation of State, Local, and Federal Funds: 20 USC Section 1412(a)(17); EC 56205(a)(16)

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

18. Maintenance of Effort: 20 USC Section 1412(a)(18); EC 56205(a)(17)

Policy/Procedure Number:

Document Title:

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Document Location:

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

☒ Yes ☐ No

19. Public Participation: 20 USC Section 1412(a)(19); EC 56205(a)(18)

Policy/Procedure Number:

Policy/Procedure Title:

Document Location:

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

☒ Yes ☐ No

20. Suspension and Expulsion: 20 USC Section 1412(a)(22); EC 56205(a)(19)

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

21. Access to Instructional Materials: 20 USC Section 1412(a)(23); EC 56205(a)(20)

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Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

22. Over-identification and Disproportionality: 20 USC Section 1412(a)(24); EC 56205(a)(21)

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

23. Prohibition on Mandatory Medicine: 20 USC Section 1412(a)(25); EC 56205(a)(22)

Policy/Procedure Number:

Document Title:

Document Location:

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

☒ Yes ☐ No

Administration of Regionalized Operations and Services

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

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

Document Title:

Local Plan

Document Location:

1541 E. March Lane, Ste. A, Stockton, CA 95210

Description:

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The Stockton Unified School District is designated as its own Administrative Unit (AU) for the SELPA. It is responsible for administrative functions such as, but not limited to:

- Receipt and distribution of special education funds for the operation of special education programs and services;
- Receipt and distribution of special education funds to accounts exclusively established for SELPA use;
- The employment of necessary staff to support SELPA functions.

Regionalized services shall include, but not be limited to:
* interagency coordination and development of agreements

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* nonpublic school/agency coordination and development of Master Contracts on behalf of member LEAs and uniform procedures for Individual Service Agreements
* provision of Stockton City Unified SELPA Program Specialist services, and
* evaluation, program review, and data collection.

2. Coordinated system of identification and assessment:

Document Title: BP 6164.4, AR 6164.4 / Coordinated System for Referrals; Child Find

Document Location: 1541 E. March Lane, Ste. A, Stockton, CA 95210

Description: The Stockton City Unified SELPA SELPA implements a coordinated system of identification and referral to provide for meeting the legal requirements of each LEA to actively and systematically seek out all individuals with exceptional needs, from birth to 21 years of age, including children not enrolled in public school programs, students that attend private schools, highly mobile individuals with exceptional needs, such as students who are migrant or homeless; students who are advancing from grade to grade even though they are suspected of being an individual with exceptional needs and has a need of for special education and related services; and, students who are wards of the State.

3. Coordinated system of procedural safeguards:

Document Title: SUSD Special Ed Policy and Procedures Manual

Document Location: 1541 E. March Lane, Ste. A, Stockton, CA 95210

Parents of children with disabilities from ages three through twenty-one have specific educational rights under the Individuals with Disabilities Act (IDEA). These rights are called Procedural Safeguards. Individuals serving as surrogate parents and adult students aged eighteen and over who receive special education services are also entitled to these Procedural Safeguards.

The Stockton City Unified SELPA maintains a copy of the "Notice of Procedural Safeguards and Parents' Rights" in the SEIS Document Library.

A copy of the "Notice of Procedural Safeguards and Parents' Rights" must be offered to the parent a minimum of one time yearly. Best practice suggests giving it to the parent to review at the start of every IEP meeting. The member LEA/district should ensure the parent(s)

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Description:

understands the notice by inquiring as to whether parent(s) have any questions or would like further clarification and document the receipt on the signature page of the IEP.

Member LEAs/districts must provide the parents of a child with a disability with notice of the procedural safeguards at least once every year. A copy must also be provided to parents:

- * Upon initial referral or parental request for evaluation
- * When sending out an Assessment Plan and/or Prior Written Notice
- * Upon receipt of the first state complaint in the school year
- * Upon receipt of the first due process complaint in the school year
- * In accordance with disciplinary procedures
- * Upon parental request

Under IDEA, the procedural safeguards notice must be:

Written in a language understandable to the general public; and provided in the native language of the parent or in another mode of communication that is used by the parent, unless it is clearly not feasible to do so as per §300.503(c).

If the native language or other mode of communication used by the parent is not a written language, then the school must take steps to ensure:

- * The notice is translated orally or by other means to the parent in his or her native language or other mode of communication;
- * The parent understands the content of the notice; and
- * There is written evidence that these requirements have been met as per §300.503(c)

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

Document Title:

Local Plan

Document Location:

1541 E. March Lane, Ste. A, Stockton, CA 95210

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Description:

The Stockton City Unified SELPA member LEAs acknowledge that any teacher assigned to serve students with disabilities shall possess an appropriate credential or other authorization issued by the Commission on Teacher Credentialing (CTC) that specifically authorizes him/her to teacher students with their primary disability within the program placement recommended in the students' individualized education program.

To continue enhancing innovative approaches for supporting the needs of complex learners to improve student outcomes, the Stockton City Unified SELPA and its LEA members, along with input from parents via the Community Advisory Committee, regular and special education staff, and administrators, will develop joint strategies for staff development and leadership development, and trainings for parents and guardians. Additionally, will develop a joint Stockton City Unified SELPA wide teacher preparation pathway to Education Specialist Certification.

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

Document Title:

Local Plan

Document Location:

1541 E. March Lane, Ste. A, Stockton, CA 95210

Description:

Each LEA acknowledges that, unless provided in a student's IEP, in order for students with disabilities to meet high academic standards and to fully demonstrate their conceptual and procedural knowledge and skills in mathematics, reading, writing, speaking and listening (English language arts), their instruction must include:

- * all required core curriculum, including state adopted core curriculum textbooks and supplementary books; and

- * must incorporate supports and accommodations, including:

- > supports and related services designed to meet the unique needs of these students and to enable their access to the general education curriculum;

- > an Individualized Education Program (IEP) which includes annual goals aligned with and chosen to facilitate their attainment of grade-level academic standards; and

- > teachers and specialized instructional support personnel who are

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prepared and qualified to deliver high-quality, evidence-based, individualized instruction and support services.

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

Document Title: Local Plan

Document Location: 1541 E. March Lane, Ste. A, Stockton, CA 95210

Description:

The Stockton City Unified SELPA guiding purposes are to assure access to a full continuum of special education and related services for individuals with exceptional needs residing within the geographic areas served by the Local Plan; and, to ensure compliance with all federal and state laws, codes, statutes, and regulations.

The internal program review, evaluation of the effectiveness of the Local Plan, and implementation of the Local Plan accountability system will be a collective coordinated effort by the Stockton City Unified SELPA regional governance and administrative structure, the Stockton City Unified SELPA Executive Director, the Stockton City Unified SELPA Program Specialist, and LEA members.

Role of the Stockton City Unified SELPA regional governance and administrative structure: will be responsible for adopting policies relating to the Local Plan and ensure that participating agencies provide a quality educational program appropriate to the needs of each eligible child with a disability who is served by each LEA member, and adopt the Stockton City Unified SELPA Budget and Service Plans.

Role of the Stockton City Unified SELPA Executive Director: will provide technical assistance; special education compliance and monitoring support; provide assistance with implementation of the State Systemic Improvement Plan (SSIP), including alignment of support and services provided to LEAs that benefit students with disabilities; and meet regularly with LEA special education administrators to monitor implementation of the Local Plan.

Role of the Stockton City Unified SELPA Program Specialist: will provide direct instructional support/teacher coaching and modeling, and coordination of curricular resources; academic, social-emotional, and behavior, to assist with educational accountability.

Role of the LEAs: will provide the leadership for implementing the Local

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Plan within their LEA. The LEAs will determine their needs for curriculum development, alignment with the core curriculum, and professional development. Additionally, the LEAs will regularly review policies and procedures with staff and provide guidance for the implementation of the Local Plan.

7. Coordinated system of data collection and management:

Document Title: Local Plan

Document Location: 1541 E. March Lane, Ste. A, Stockton, CA 95210

Description: The Stockton City Unified SELPA coordinates program review across LEAs, conducts evaluations, and supervises data collection and development of the Stockton City Unified SELPA-wide data system and CALPADS reports, and reporting at the state level.

8. Coordination of interagency agreements:

Document Title: Local Plan

Document Location: 1541 E. March Lane, Ste. A, Stockton, CA 95210

Description: Procedures for obtaining Related Services provided by another agency:
The Stockton City Unified SELPA has interagency agreements with California Children's Services (CCS) and Valley Mountain Regional Center (VMRC). CCS provides occupational therapy and physical therapy when it is medically necessary and meets eligibility criteria. VMRC provides various support services to eligible clients based on an application process.
When another agency providing a related service fails to provide the service listed on an IEP, the LEA is responsible and shall provide the service in accordance with an IEP, unless otherwise provided by law, without a disruption in service, and at no cost to the parent. The LEA would then have the option of seeking reimbursement from the agency through due process.
Agency participation in an IEP which addresses post secondary transition:
Section 300.21 (b)(3) states: "To the extent appropriate, with the consent of the parents or a child who has reached the age of majority, in implementing the requirements of paragraph (b)(1) [Transition services participants] of this section, the public agency must invite a representative of any participating agency that is likely to be responsible

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<p>for providing or paying for transition services."</p> <p>a) LEAs shall invite potentially responsible participating agencies to most IEPs that relate to transition</p> <p>b) LEAs shall obtain consent from the parents/student prior to inviting possible responsible parties</p> <p>c) LEAs shall document:</p> <ul style="list-style-type: none">* attempts to gain permission from the parents/student to invite possible participating agencies* invitation of participating agencies

9. Coordination of services to medical facilities:

Document Title:	<input type="text" value="Local Plan"/>
Document Location:	<input type="text" value="1541 E. March Lane, Ste. A, Stockton, CA 95210"/>
Description:	<p>The LEA in which the hospital is located is responsible for providing the service. The sending district shall cooperate in sending pertinent school records to the LEA.</p>

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

Document Title:	<input type="text" value="Local Plan"/>
Document Location:	<input type="text" value="1541 E. March Lane, Ste. A, Stockton, CA 95210"/>
Description:	<p>The Stockton City Unified SELPA has made provisions for service delivery to hospitalized individuals with disabilities, individuals in Licensed Children's Institutions (LCIs), and foster homes.</p> <p>The LEA in which the foster home or LCI is located is responsible for providing the service. The sending district shall cooperate in sending pertinent school records to the LEA.</p>

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

Document Title:	<input type="text" value="Local Plan"/>
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Document Location: 1541 E. March Lane, Ste. A, Stockton, CA 95210

Description:

The California Department of Education (COE) requires each SELPA to collect specified data and transmit it.

The Stockton City Unified SELPA shall collect, prepare and submit all information required by the CDE, Special Education Division, including statistical data, program information, and fiscal information related to the programs and services for children with disabilities in the Stockton City Unified SELPA in accordance with established timelines.

The Stockton City Unified SELPA maintains a data collection and storage system that provides for the management and reporting of required data for state and federal systems. The Stockton City Unified SELPA coordinates with California Longitudinal Pupil Achievement Data System (CALPADS) to collect and report all required data related to special education program services, and to provide other pertinent information.

Stockton City Unified SELPA staff support member LEAs in the collection and reporting of required information including data related to compliance, due process procedures, availability of services, performance indicators, etc. The Stockton City Unified SELPA staff provide support for a system that is responsive to the data needs of the LEAs and implements a continuous improvement model of data collection.

12. Fiscal and logistical support of the CAC:

Document Title: Local Plan

Document Location: 1541 E. March Lane, Ste. A, Stockton, CA 95210

Description:

The Stockton Unified School District shall serve as the AU. The AU will perform functions for the Stockton City Unified SELPA such as receipt and distribution of funds, employment of staff to support SELPA functions, provision of administrative support, and coordination of the implementation of the Local Plan.

Changes or amendments to the approved Stockton City Unified SELPA Local Plan may be considered during the annual service and budget plan process. The Stockton City Unified SELPA governance and administrative structure can adopt amendments to the approved Local

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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 California State Board of Education. Stockton City Unified SELPA governance and administrative structure will approve individual policy changes.

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

Document Title: Local Plan/Transportation for Students with Disabilities

Document Location: 1541 E. March Lane, Ste. A, Stockton, CA 95210

Description:

The Stockton City Unified SELPA that appropriate transportation services are provided for students with disabilities as specified in their Individualized Education Program (IEP) or accommodation plan. LEAs shall make transportation available for students at no cost to parent/guardian when specified as a related service in the student's IEP. The LEA shall establish criteria and procedures for determining the most appropriate mode of transportation for an individual student based on identified needs as determined in the IEP or accommodation plan.

LEA shall arrange transportation schedules so that students with disabilities do not spend an excessive amount of time on buses compared to other students. Arrivals and departures shall not reduce the length of the school day for these students except as may be prescribed on an individual basis. The LEA shall establish procedures to ensure compatibility between mobile seating devices and bus securement systems.

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

Document Title: Local Plan

Document Location: 1541 E. March Lane, Ste. A, Stockton, CA 95210

Description:

The Stockton City Unified SELPA is required to coordinate career and vocational education and transition services. Stockton City Unified SELPA provides coordination by: * partnering with state and local agencies for career and vocational education;

* administering a WorkAbility-1 grant to provide instruction and experiences that reinforce core curriculum concepts and skills leading to

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<p>gainful employment for students</p> <p>* supporting LEAs in implementing transition services in the IEP; and</p> <p>* ensuring appropriate interagency agreements are in place to facilitate connection to agencies, as appropriate.</p>

15. Assurance of full educational opportunity:

Document Title:	Local Plan
Document Location:	1541 E. March Lane, Ste. A, Stockton, CA 95210
Description:	It shall be the policy of each LEA that all children with disabilities have access to the full continuum of educational programs, be educated with individuals who are nondisabled, including the provision of nonacademic and extracurricular services and activities.

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

Document Title:	Local Plan
Document Location:	1541 E. March Lane, Ste. A, Stockton, CA 95210
	<p>Stockton Unified School District (SUSD) will serve as the Administrative Unit (AU) for the Stockton City Unified SELPA, and is responsible for the receipt and distribution of special education funds to each member LEA account designated for the operation of special education programs and services, and to accounts exclusively designated for Stockton City Unified SELPA use. The AU works in collaboration with the Stockton City Unified SELPA to certify distribution of funds pursuant to the Allocation Plan, which has been approved by the Superintendent/CEO Council, and to meet all applicable local, state and federal requirements and regulations. Stockton City Unified SELPA, the AU and each LEA shall establish appropriate record- keeping procedures in accordance with state and federal requirements, maintain accurate fiscal accounting records, and prepare and submit required accounting records in a manner that facilitates required audits by a Certified Public Accountant.</p> <p>Stockton City Unified SELPA is designated as the responsible local</p>

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Description:

agency (RLA) for the administration and implementation of the Local Plan, including the provision of a continuum of program options and services. Stockton City Unified SELPA shares responsibility for fiscal administrative support and for coordination and implementation of the approved Allocation Plan.

Stockton City Unified SELPA is required to develop an Annual Budget Plan. The AU Governing Board shall conduct the public meeting as required. The purpose of the Annual Budget Plan is to provide the public with an overview of the resources available as allocated within the SELPA.

The AU Governing Board shall adopt policies to allocate and distribute funds. All federal and state special education funds shall be allocated to the Stockton City Unified SELPA for distribution to LEAs according to an approved special education funding allocation plan. Any changes to the allocation of federal and state special education funds shall be made by the Stockton City Unified SELPA Governing Board.

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

Document Title:

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Document Location:

1541 E. March Lane, Ste. A, Stockton, CA 95210

Description:

Stockton City Unified SELPA includes services by a program specialist as part of the regionalized services. Program specialists provide a range of services including, but not limited to:

- * provide consultation and assist regular and special education staff;
- * coordinate curricular resources, plan programs, and share in the evaluation of program effectiveness for children with disabilities;
- * assist with program development and innovation of special methods and approaches;
- * participate in IEP team meetings when technical assistance is requested;
- * consult with principals and administrators who operate special education programs; and
- * provide or assist with staff development trainings, and parent and

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Special Education Local Plan Area Services

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

Document Title:

Document Location:

Description:

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

Document Title:

Document Location:

Description:

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

Document Title:

Document Location:

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Description:

Stockton City Unified SELPA office, or the AU, that LEA has 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 direct assistance of the Stockton City Unified SELPA Executive Director or the services of a neutral mediator from outside the v. In the event the issue has not been resolved, either party may request that the issue be placed on the Governing Council agenda. The decision of the Governing Council shall be final.

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

Document Title: SUSD Special Ed Policy and Procedures Manual/ Pre-Referral Process

Document Location: 1541 E. March Lane, Ste. A, Stockton, CA 95210

PRE- REFERRAL PROCESS

Parents will be contacted whenever there is a concern about their child's academic or behavioral performance. Concerns may be addressed in a Student Study Team (SST) Meeting. This meeting may be initiated by school staff or parents/guardians or the student. During the SST meeting, the Student Study Team can document concerns and which strategies are being implemented or will be implemented to attempt to address the student's concerns related to their learning. Areas that are important to discuss and document during the SST meeting are:

- * Developmental/medical history
- * Attendance/school enrollment history
- * Review of vision, hearing, speech and language screenings
- * Behavior and Academic Performance and results of any interventions

Although a referral for special education assessment may be initiated by a Student Study Team (SST), parent, teacher, student or other person with knowledge of the student, current law requires that all options in the general program be implemented before referral to special education. These options may include, but are not limited to, the following:

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Description:

- * Accommodations within the general education program
- * Research-based instructional strategies and interventions, including universal screening, "tiered" interventions, progress monitoring and problem solving teams within the general education program(Response to Intervention (RTI) or Multi-Tiered Systems of Support (MTSS) model) Consultation with appropriate staff
- * Referral to alternative programs within the member LEA/district
- * Referral to professional and/or agencies outside of the member LEA district (at a cost to the member LEA/district)

All options are to be explored and documented by the general education staff prior to a referral for special education. The procedure to be followed when a student is first seen as having difficulty will be the responsibility of the general education staff.

When all of the resources of general education have been exhausted, the student may be referred for special education consideration.

In the event that a parent makes a written request for a special education evaluation, the member LEA/district must respond within 15 days. Should the member LEA/district determine testing is merited, they would respond by sending an assessment plan and a Prior Written Notice (PWN) along with Procedural Safeguards.

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

Document Title: Local Plan

Document Location: 1541 E. March Lane, Ste. A, Stockton, CA 95210

Each LEA that contracts with a nonpublic, nonsectarian school shall evaluate the placement of its pupil(s) in such schools on, at least, an annual basis as part of the annual IEP review. Prior to placement of a pupil, the LEA/Stockton City Unified SELPA that enters into a master contract with an NPS shall conduct an onsite visit if the LEA does not have any pupils enrolled at the school at the time of placement. The LEA representative shall review the master contract, the individual services agreement, and the IEP to ensure that all services agreed upon and

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Description:

specified in the IEP are provided. Nonpublic, nonsectarian schools are required by the master contract and the IEP to annually evaluate the students to determine if they are making appropriate educational progress. The LEA representative shall collaboratively review with the nonpublic, nonsectarian school the evaluations conducted by the nonpublic, nonsectarian school to ensure that they were appropriate and valid for assessing pupil progress. The LEA may choose to administer additional assessments as necessary, with parent consent, to determine whether the pupil is making appropriate educational progress. The NPS is to include in its certification application documentation that it will train staff who will have contact or interaction with pupils during the school day as well as information regarding the credentials/degrees/license and experience of the administrator of the NPS. The Stockton City Unified SELPA can act as a liaison between the NPS and placing agency/LEA to support supervision and monitoring to:

- * evaluate the educational progress of each pupil in a nonpublic, nonsectarian school, including all state assessment results;

- * consider whether or not the needs of the pupil continue to be best met at the nonpublic, nonsectarian school and whether changes to the IEP are necessary, including whether the pupil may be transitioned to a public school setting; and

- * monitor progress toward attaining graduation or a certificate of completion

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

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

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

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Document Title:	Local Plan
Document Location:	1541 E. March Lane, Ste. A, Stockton, CA 95210
Description:	<div><p>Free Appropriate Public Education (FAPE):</p><p>Every individual with exceptional needs who is eligible to receive special education instruction and related services under the IDEA and state special education laws, shall receive that instruction and those services at no cost to his or her parents or, as appropriate, to him or her. A FAPE shall be available to individuals with exceptional needs in accordance with Section 1412 (a)(1) of Title 20 of the United States Code and Section 300.101 of Title 34 of the Code of Federal Regulations.</p><p>Eligible Adults:</p><p>Adults who are aged 18 through 21 years, who have not graduated with a high school diploma, who, at the time they turned 18 years were identified as an individual with exceptional needs and had an IEP under the IDEA, are also entitled to a FAPE (hereinafter, "eligible adults"). This applies to adults incarcerated in California adult jails and prisons. However, an individual, aged 18 through 21 years, who, in the educational placement prior to his or her incarceration in an adult facility was not identified as an individual with exceptional needs or did not have an IEP under the IDEA, is not entitled to a FAPE.</p><p>District of Residence:</p><p>For eligible adults who prior to reaching the age of majority, resided within the LEA geographic boundaries, the applicable LEA within the Stockton City Unified SELPA shall ensure they have available to them a FAPE. If the parent relocates to a new district of residence, the new district of residence shall become the responsible LEA. If the student is conserved, the residence of his or her conservator shall control.</p></div>