

## SANTA BARBARA COUNTY SPECIAL EDUCATION LOCAL PLAN AREA

### Assurances

(AR 2001)

There are currently twenty-six (26) assurances with which every SELPA and SELPA member LEA in the State of California must comply. In approving the Santa Barbara County SELPA 0, the SELPA and each member LEA agrees to comply with the following:

#### **1. FREE APPROPRIATE PUBLIC EDUCATION (20 United States Code [U.S.C.] § 1412 (a)(1))**

It shall be the policy of the Santa Barbara County SELPA and each member LEA that a free appropriate public education ("FAPE") 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.

#### **2. FULL EDUCATIONAL OPPORTUNITY (20 U.S.C. § 1412 (a)(2))**

It shall be the policy of the Santa Barbara County SELPA and each member LEA that all pupils with disabilities have access to educational programs, nonacademic programs, and services available to non-disabled pupils.

#### **3. CHILD FIND (20 U.S.C. § 1412 (a)(3))**

It shall be the policy of the Santa Barbara County SELPA and each member 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.

#### **4. INDIVIDUALIZED EDUCATION PROGRAM (IEP) AND INDIVIDUALIZED FAMILY SERVICE PLAN (IFSP) (20 U.S.C. § 1412 (a)(4))**

It shall be the policy of the Santa Barbara County SELPA and each member 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 education. It shall be the policy of the Santa Barbara County SELPA and each member 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.

#### **5. LEAST RESTRICTIVE ENVIRONMENT (20 U.S.C. § 1412 (a)(5))**

It shall be the policy of the Santa Barbara County SELPA and each member 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 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.

#### **6. PROCEDURAL SAFEGUARDS (20 U.S.C. § 1412 (a)(6))**

It shall be the policy of the Santa Barbara County SELPA and each member LEA that children with disabilities and their parents shall be afforded all procedural safeguards throughout the provision of a FAPE including the identification, evaluation, and placement process.

#### **7. EVALUATION (20 U.S.C § 1412 (a)(7))**

It shall be the policy of the Santa Barbara County SELPA and each member LEA that a reassessment of a student with a disability shall be conducted at least once every three years or more frequently, if appropriate.

#### **8. CONFIDENTIALITY (20 U.S.C § 1412 (a)(8))**

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

#### **9. PART C, TRANSITION (20 U.S.C § 1412 (a)(9))**

It shall be the policy of the Santa Barbara County SELPA and each member LEA that a transition process for a child who

is participating in early education 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.

**10. PRIVATE SCHOOLS (20 U.S.C § 1412 (a)(10))**

It shall be the policy of the Santa Barbara County SELPA and each member 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.

**11. LOCAL COMPLIANCE ASSURANCES (20 U.S.C § 1412 (a)(11))**

It shall be the policy of the Santa Barbara County SELPA and each member LEA that the Santa Barbara County SELPA Local Plan shall be adopted by the SELPA Joint Powers Agreement ("JPA") Board and the governing board of each member LE. The Local Plan is the basis for the operation and administration of special education programs. The Santa Barbara County SELPA and each member LEA 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 Education Code, Part 30.

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

It shall be the policy of the Santa Barbara County SELPA and each member 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.

**13. GOVERNANCE (20 U.S.C § 1412 (a)(13))**

It shall be the policy of the Santa Barbara County SELPA and each member LEA to support and comply with the provisions of the governance bodies and any necessary administrative support to implement the Santa Barbara County SELPA. 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, which is the California Department of Education ("CDE").

**14. PERSONNEL QUALIFICATIONS (20 U.S.C § 1412 (a)(14))**

It shall be the policy of the Santa Barbara County SELPA and each member LEA to ensure that personnel providing special education and 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 Santa Barbara County SELPA or member LEA staff person to be highly qualified or to prevent a parent from filing a State complaint with the CDE about staff qualifications.

**15. PERFORMANCE GOALS & INDICATORS (20 U.S.C § 1412 (a)(15))**

It shall be the policy of the Santa Barbara County SELPA and each member LEA to comply with the requirements of the performance goals and indicators developed by the CDE and provide data as required by the CDE.

**16. PARTICIPATION IN ASSESSMENTS (20 U.S.C § 1412 (a)(16))**

It shall be the policy of the Santa Barbara County SELPA and each member 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.

**17. SUPPLEMENTATION OF STATE/FEDERAL FUNDS (20 U.S.C § 1412 (a)(17))**

It shall be the policy of the Santa Barbara County SELPA and each member 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, not supplant state, local, and other federal funds.

**18. MAINTENANCE OF EFFORT (20 U.S.C § 1412 (a)(18))**

It shall be the policy of the Santa Barbara County SELPA and each member 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.

**19. PUBLIC PARTICIPATION (20 U.S.C § 1412 (a)(19))**

It shall be the policy of the Santa Barbara County SELPA and each member 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.

**20. RULE OF CONSTRUCTION (20 U.S.C § 1412 (a)(20))**

(Federal requirement for State Education Agency only.)

**21. STATE ADVISORY PANEL (20 U.S.C § 1412 (a)(21))**

(Federal requirement for State Education Agency only.)

**22. SUSPENSION/EXPULSION (20 U.S.C § 1412 (a)(22))**

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

**23. ACCESS TO INSTRUCTIONAL MATERIALS (20 U.S.C § 1412 (a)(23))**

It shall be the policy of the Santa Barbara County SELPA and each member 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.

**24. OVERIDENTIFICATION AND DISPROPORTIONALITY (20 U.S.C § 1412 (a)(24))**

It shall be the policy of the Santa Barbara County SELPA and each member LEA to prevent the inappropriate disproportionate representation by race and ethnicity of students with disabilities.

**25. PROHIBITION ON MANDATORY MEDICINE (20 U.S.C § 1412 (a)(25))**

It shall be the policy of the Santa Barbara County SELPA and each member 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.

**26. DISTRIBUTION OF FUNDS (20 U.S.C § 1411(e),(f)(1-3))**

(Federal requirement for State Education Agency only.)

**27. DATA (20 U.S.C § 1418 (a)-(d))**

It shall be the policy of the Santa Barbara County SELPA and each member LEA to provide data or information to the CDE that may be required by law and/or regulation.

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

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

**29. CHARTER SCHOOLS (California Education Code 56207.5 (a-c))**

It shall be the policy of the Santa Barbara County SELPA and each member LEA that a request by an LEA charter school to participate as an LEA in a SELPA may not be treated differently from a similar request made by a school district.

Date Approved: April 13, 2026