

SANTA BARBARA COUNTY SELPA LOCAL PLAN

SECTION 7

SPECIAL EDUCATION INSTRUCTION IMPLEMENTATION

Implementation Policies
6401- 6443

(Revised 5-4-2020)

SANTA BARBARA COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA

6000 SPECIAL EDUCATION - INSTRUCTION

6400 IMPLEMENTATION

6401 Continuum of Program Options

The Santa Barbara County Special Education Local Plan Area (SBCSELPA) which is made up of all the school districts in Santa Barbara County and the County Education Office will operate programs which will ensure a continuum of program options for all individuals with exceptional needs in the least restrictive environment. The operation of programs will utilize instructional personnel within the SBCSELPA or outside SBCSELPA that could include non-public agencies to offer the continuum in the most effective manner possible.

(EDUCATION CODE SECTION 56360)

DATE APPROVED: January 9, 1987

DATE REVISED: December 9, 2002

DATE REVISED: February 2, 2015

SANTA BARBARA COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA

6000 SPECIAL EDUCATION - INSTRUCTION

6400 IMPLEMENTATION

6402 Program and Service Options

Individualized education program placement and service provision for ages 0 through 21 years, shall be based on the unique needs of the disabled pupil as identified by the Individualized Education Program (IEP) Team. The placement decision shall not be based upon the availability of services in the Local Plan Area.

The continuum of program options that may be provided shall include, but not necessarily be limited to, all of the following or any combination of the following:

1. Regular education programs consistent with subparagraph (a) of paragraph (5) of subsection (a) of Section 1412 of Title 20 of the United States Code and implementing regulations.
2. A resource specialist program pursuant to Section 56362.
3. Related Services pursuant to Section 56363.
4. Special classes pursuant to Section 56364.2.
5. Nonpublic, nonsectarian school services pursuant to Section 56365.
6. State special schools pursuant to Section 56367.
7. Instruction in settings other than classrooms where specially designed instruction may occur.
8. Itinerant instruction in classrooms, resource rooms, and settings other than classrooms where specially designed instruction may occur to the extent required by federal law or regulation.
9. Instruction using telecommunication, and instruction in the home, in hospitals, and in other institutions to the extent required by federal law or regulation.

A district, SELPA or county office may contract with a hospital to provide related services. However, a district, SELPA or county office may not contract with a sectarian hospital for instructional services.

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6402 Program and Service Options (*Continued*)

Coordination of services with other local public agencies which are funded to serve disabled individuals shall be the responsibility of the SBCSELPA. The SBCSELPA Executive Director may consult with local education agency (LEA) special education administrators and business officials from LEAs in SBCSELPA, as needed, to seek input regarding the coordination of services.

(EDUCATION CODE SECTIONS 56195.7(d), 56360, 56361, 56363, 56364, 56365, 56367)

DATE APPROVED: January 3, 1984
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6403 Supplemental Program Options

In addition to the Education Code-mandated continuum of program options listed in Santa Barbara County SELPA Policy, individual districts within the SBCSELPA may also provide special education services to students pursuant to an IEP in programs which may include the following:

1. Special Day Class with Maximum Mainstreaming
A Special Day Class may maintain pupils within the SDC caseload who are mainstreamed in general education for more than 50% of the instructional day. The IEP shall indicate the amount of time the pupil shall be served in the general education setting and the activities of the SDC teacher to support successful mainstreaming.
2. SDC/Inclusion Support
An SDC teacher may maintain a caseload containing pupils with IEPs who are placed in general education classrooms for 100% of the instructional day, with the SDC inclusion teacher providing support to the general education teachers in curriculum modification, instructional strategies, assignment monitoring, and/or program coordination.
3. Embedded Special Day Class
A district may create embedded Special Day Classes by merging a complete SDC with a general education classroom. Team teaching shall be provided as long as the district assures that all IEP goals/objectives and services are addressed and that general education pupil's families have been fully informed regarding the program.
4. Learning Center Special Education Delivery Options
A district may elect to provide special education services via a Learning Center model provided the district assures that all IEP goals/objectives and services are met. The Learning Center concept assigns all pupils to age-appropriate general education classrooms for appropriate activities such as the opening of school, appropriate instructional and non-instructional activities, special events, lunch, recess, field trips, and other activities as appropriate per each IEP. The Learning Center may include services previously provided via SDC, RSP and/or related services based on each district's defined Learning Center. Learning Centers may also include other categorical services, i.e., ELL/ELD, Title 1, GATE, general education services, and other district/school services.

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6403 Supplemental Program Options *(Continued)*

5. Departmentalized Special Education Services

A district may provide departmentalized services, blending services between SDC teachers and RSP teachers, with the IEP specifying the total amount of special education services to be provided. Pupils may receive services from both SDC and RSP staff per the IEP. A case carrier for each student shall be assigned.

6. Small Group Instruction (SGI)

A district may provide services to pupils in special education in small group settings utilizing appropriately credentialed special education staff.

DATE APPROVED: December 9, 2002

DATE REVISED: February 2, 2015

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6404 Development of Additional Resource Options

When educational services needed by an individual with exceptional needs are not available in the Santa Barbara County Special Education Local Plan Area, the Administrative Unit shall assist the district or County Education Office in developing or locating the needed services or contracting with appropriate public or private agencies.

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6405 Entities Responsible for Program Operation

Nondirect service school districts will operate programs for individuals with disabilities residing within their district with the following exceptions:

1. The County Education Office will operate infant programs for individuals with disabilities who are within the age range of birth to 3 years and who are eligible for special education.
2. The County Education Office will operate preschool special education programs for individuals with disabilities who are enrolled in preschool programs except for:
 - a. District operated regional programs of low incidence disabilities such as hearing impaired, visually impaired, etc.
 - b. District operated preschool special education programs for individuals with disabilities.

The expectation is that children will enter kindergarten if they are 4.9 years of age as of September 1.

3. Individuals with disabilities who are retained in preschool through the recommendation of the IEP Team (which must include an administrative representative from both the County Education Office and the child's district of residence) shall continue to receive necessary special education services from the County Education Office.

All preschool students shall transition to an appropriate kindergarten program by the student's sixth birthday in order to meet California Compulsory Education Laws.

4. Preschool individuals with an IEP who reside in districts that comprise the Santa Barbara County SELPA (SBCSELPA) may, upon parent request due to employment related reasons, receive preschool special education services in a like program offered as FAPE in the IEP from the County Education Office and district where regional program is operated on a space available basis in regions of the SBCSELPA other than the region where services would normally be provided. In cases where preschool intra-SELPA placements are at parent request rather than pursuant to a recommendation of the IEP Team, transportation for the child shall be the responsibility of the parent.

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6405 Entities Responsible for Program Operation (*Continued*)

School age regional program students who reside in districts that comprise the SBCSELPA may, upon parent written request to and approval from the SBCSELPA Executive Director, attend and receive special education services in a like regional program located in a region other than the region where the services would normally be provided on a space available basis due to parent employment reasons. The SBCSELPA Executive Director will meet with the LEA special education administrator and regional program operators from both regions to discuss the request to ensure the request is appropriate and feasible. The SBCSELPA Executive Director's final decision will be provided to the parent in writing within 30 days from the request unless the request is received when school is not in session pending JPA Board approval. If the request is received when school is not in session, then the final decision will be provided to the parent by September 15th. Each intra-SELPA transfer will be granted for one year only and a new request must be submitted annually. In cases where the intra-SELPA placement is at parent request rather than pursuant to a recommendation of the IEP Team, transportation for the child shall be the responsibility of the parent. All costs associate with the program, with the exception of transportation, shall be funded as per SBCSELPA Local Plan Policy 3204.

5. Preschool individuals with disabilities whose parents reside outside the boundaries of the SBCSELPA may receive preschool special education services provided by the County Education Office with the consent of the child's district of residence on a space available basis. Any excess costs of special education services received by such individuals shall be billed to the child's district of residence.

The governing board of the County Education Office or any district within the SBCSELPA may provide for the education of individual pupils in special education programs maintained by other districts or counties and may include within the special education program pupils who reside in other districts or counties.

(EDUCATION CODE 56195.5(b))

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6406 Responsibility in Individualized Education Program Implementation

The individuals responsible for implementing the Individualized Education Program (IEP) at the site level shall ensure a direct correlation between Individualized Education Program (IEP) goals and objectives and instructional practices. Ongoing communication/coordination of instruction and curriculum between all implementers of IEPs shall be developed and maintained.

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6407 Resource Specialist Program

The Resource Specialist Program shall provide, but not be limited to, all of the following:

1. Provide instruction and services needed for those eligible pupils who are assigned to regular class teachers for the majority of the day.
2. Provide information and assistance to eligible pupils and their parents.
3. Provide consultation, resource information and material regarding eligible pupils to their parents and regular staff members.
4. Coordinate special education services with the regular education program.
5. Monitor pupil progress on a regular basis including participating in their review and revisions to IEPs.
6. Refer pupils who do not make progress to the Individualized Education Program Team.
7. Emphasize, at the secondary level, academic achievement, career and vocational development and preparation for adult life.

(EDUCATION CODE 56195.8(b)(4) and 56362)

DATE APPROVED: January 9, 1987

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6409 Resource Specialist Program Caseload

Resource specialist caseloads shall include but not be limited to, all pupils for whom the resource specialist performs any of the services described in subdivision (a) of Education Code Section 56362.

Resource specialists shall not enroll a pupil for the majority of a school day without prior approval by the State Board of Education and the Santa Barbara County SELPA.

Resource specialist caseloads shall not exceed 28 pupils.

A resource specialist shall not simultaneously be assigned to serve as a resource specialist and to teach regular classes.

(EDUCATION CODE 56195.8(b)(4) and 56362)

DATE APPROVED: January 9, 1987

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6410 Related Services

Related services include but are not limited to the following:

1. Language, Speech Development and Remediation
2. Audiological Services
3. Orientation and Mobility Instruction
4. Instruction in Home or Hospital
5. Adaptive P.E.
6. Physical/Occupational Therapy
7. Vision Services
8. Specialized Driver Training Instruction
9. Counseling and Guidance
10. Psychological Services (other than assessment and development of the IEP)
11. Parent Counseling and Training
12. Health and Nursing Services
13. Social Worker Services
14. Specially Designed Vocational Education and Career Development
15. Recreation Services
16. Specialized Services for Low Incidence Disabilities such as readers, transcribers and vision and hearing services
17. Supplemental Instruction

(EDUCATION CODE 56363)

DATE APPROVED: January 9, 1987

DATE REVISED: February 2, 2015

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6411 Related Services Provision

Related services may include individual or small group instruction in a specialized area of educational need.

Related services may be provided to individuals with disabilities who are served throughout the full continuum of educational settings.

Related services as specified on the IEP shall be available when the instruction and services are necessary for the pupil to benefit educationally from his/her instructional program.

Related services, when needed as determined by the IEP Team, shall be specified in the IEP including frequency and duration of service.

Each individual with disabilities shall be provided with related services and related services in accordance with his or her individualized education program.

All persons providing related services shall be qualified as required by adopted standards for certification of professional personnel by the Commission on Teacher Credentialing, the State Board of Education, or other appropriate licensing agencies.

Related services occupational therapy (OT) services that are deemed medically necessary as specified in the IEP shall be provided by California Children Services (CCS), as appropriate, pursuant to Chapter 26.5 of the Government Code.

In the event that other public agencies fail or cease to provide related services in accordance with an IEP for which they have responsibility, the local education agency that is providing primary educational services for the pupil will provide the related services specified in the pupil's IEP. Reimbursement for the cost of providing such related services shall be requested from the public agency responsible for the provided services (20 U.S.C. 1412(a)(12)(B)).

Related services regional occupational therapy (OT) services shall be provided by the County Education Office as specified in the IEP for students in districts located in south Santa Barbara County. Related services regional OT services shall be provided by the Orcutt Union School District as specified in the IEP for students in districts located in north Santa Barbara County.

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6411 Related Services Provision (*Continued*)

Related services shall be available through nonpublic nonsectarian agency services when no appropriate public education program is available.

A district, SELPA or county office may provide related services through contract with a hospital when no appropriate public education program is available.

(EDUCATION CODE SECTIONS 56100(f), 56361.5(a), 56363(a), 56365(a) and TITLE 5, SECTIONS 3051(a) (1), (2) and (3))

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6412 Related Services Caseload

The SELPA-wide average caseload for language, speech and hearing specialists shall not exceed 55 cases. The SELPA-wide average caseload allows for specialized provision of services to meet the needs of the full scope of service populations from the mild to severe/profound.

The maximum caseload for a speech and language specialist providing services exclusively to individuals with exceptional needs, between the ages of three and five years, inclusive, as defined in Section 56441.7 shall not exceed a count of 40.

(EDUCATION CODE SECTION 56363.3, 56441.7)

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6413 Related Services Instructional Assistants

Related services may be provided by an assistant working under the direct supervision of a credentialed language, speech and hearing specialist if specified in the IEP. No more than two assistants may be supervised by one credentialed language, speech, and hearing specialist.

An instructional assistant is a person employed to assist classroom teachers and other certified personnel in the performance of their duties and in the supervision of pupils in instructional tasks which, in the judgment of the certified personnel to whom the instructional assistant is assigned, may be performed by a person not licensed as a classroom teacher.

Educational qualifications and proficiencies for instructional assistants require a demonstrated proficiency in basic reading, writing and mathematics skills up to or exceeding that required by the employing district proficiency test.

(EDUCATION CODE SECTION 56363 and
TITLE 5 SECTION 3051.1(c))

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6414 Related Services Counseling

Related Services Counseling shall be provided to individuals with exceptional needs when the IEP Team determines that such counseling is needed in order to implement the special education services described in the IEP.

There may be times when the individual with exceptional needs can benefit from counseling for problems which are not directly related to the special education eligibility criteria. In those cases, counseling should be provided in the same manner as for all other students.

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6415 Provisions for Vocational Career Education-Transition

The Santa Barbara County SELPA is committed to provide individuals with exceptional needs with appropriate vocational and career education in order to facilitate their transition into the community.

Specially designed vocational education and career development for individuals with exceptional needs regardless of severity of disability may include:

1. Providing prevocational programs and assessing work-related skills, interests, aptitudes and attitudes.
2. Coordinating and modifying the existing vocational education program for individuals with exceptional needs.
3. Assisting individuals in developing attitudes, self-confidence, and vocational competencies to locate, secure, and retain employment in the community or sheltered environment, and to enable such individuals to become participating members of the community.
4. Establishing work training programs.
5. Assisting in job placement.
6. Instructing job trainers and employers as to the unique needs of individuals.
7. Maintaining regularly scheduled contact with all workstations and job site trainers.
8. Coordinating services with the Department of Rehabilitation as designated in the IEP.

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- 6415 Provisions for Vocational Career Education-Transition (*Continued*)

The above vocational and career education activities shall provide for the planning of services to facilitate the transition of pupils from special education programs to the field of work and/or other educational/vocational training programs.

(EDUCATION CODE SECTION 51215, 56345.1)

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6416 Transition Planning and Services

Beginning no later than age 16 (and in some cases at age 14 or younger), Individualized Education Programs (IEPs) must include a statement of the "transition services" the student will need before leaving the school setting. Transition services are intended to promote the student's movement from school to post-school activities (including post-secondary education, vocational training, integrated employment, continuing and adult education services, independent living or community participation) and must include instruction, community experiences, development of employment and other post-school living objectives and, in some cases, acquisition of daily living skills and functional vocational education. The IEP must also state any interagency responsibilities or linkages regarding the needed transition services. In the event that a participating agency other than the school system fails to provide agreed upon services, the IEP team must reconvene to identify alternative strategies for meeting the transition objectives.

Notices to parents of IEP meetings where transition will be discussed must indicate this purpose, that the student will be invited to attend the meeting and identify any other agency that will be invited to send a representative.

(EDUCATION CODE SECTIONS 56345.1, 34 CODE OF FEDERAL REGULATIONS 300.344)

DATE APPROVED: November 8, 1991

DATE REVISED: December 9, 2002

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6417 Provision of Home Hospital Services for Students Enrolled in Regional Classes

Regional program operators shall engage in the following activities when they are notified that a student enrolled in a regional program requires a change in placement to home and hospital instruction:

1. The regional program operator or designee shall contact the special education administrator from the student's district of residence to inform them of the temporary change in placement to home and hospital.
2. The regional program operator or designee shall set up an IEP or generate an IEP amendment (for short term change in placements) with the district of residence to obtain parent consent and inform team members of pending changes.
3. The regional program operator or designee shall arrange for the provision of home and hospital services in consultation with the district of residence as needed for recruitment of personnel.

The costs associated the provision of home and hospital instruction shall be a regional program cost. The regional program operator or district providing the service will claim the ADA for the student receiving the home hospital services and any revenue generated shall offset the regional program costs. A district of residence (DOR) that desires to provide the home and hospital services may propose this intent via an IEP team meeting to consider a change of placement.

DATE APPROVED: October 9, 2000

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DATE REVISED: May 4, 2009

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6418 Special Transportation

1. Special transportation for students with disabilities is a related service when included in the student's Individualized Education Program (IEP). If a student's special transportation is specially designed and described on the IEP, then changes in this service would require parent notification and a meeting to review that portion of the IEP dealing with the related service.
2. Modes of transportation shall be determined by the IEP team and may include but not be limited to school bus, public transportation, contracted carrier or parent reimbursement.
3. A change in an existing transportation schedule does not constitute a change in the IEP.

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6419 Special Transportation Criteria

Individualized Education Program (IEP) Teams shall use a least restrictive concept in specifying the mode of transportation for students enrolled in special education. The modes of transportation that may be used shall include:

1. Walking to neighborhood school.
2. Riding the regular bus from a pick-up point with students without disabilities.
3. Riding a special education bus from a pick-up point.
4. Riding a special education bus from curb to curb.
5. Other arrangements for transportation.

Students with disabilities who are capable of walking to a pick-up station may require special transportation because of age, or the nature or severity of their disability.

Students with disabilities attending other than their neighborhood school who are capable of walking to a pick-up station may require special transportation because of the nature or severity of their disability, or their age.

Students with disabilities attending a school other than their neighborhood school may require special transportation because they are not capable of walking to and from school due to their age, or because of the nature of their disability.

The local education agencies that comprise the Santa Barbara County SELPA (SBCSELPA) and that provide special transportation for students with disabilities shall ensure compatibility between mobile seating devices when used, and the securement systems required by Federal Motor Vehicle safety standards No. 222 (49 C.F.R. 571.222).

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6419 Special Transportation Criteria *(Continued)*

Local education agencies of the SBCSELPA that contract for transportation services for students with disabilities shall ensure that the contracted transportation agency has implemented procedures to ensure compatibility between mobile seating devices when used, and the securement systems required by Federal Motor Vehicle safety standards No. 222 (49 C.F.R. 571.222).

The local education agencies of the SBCSELPA shall ensure that all school bus drivers are trained in the proper installation of mobile seating devices in the securement systems.

(EDUCATION CODE SECTIONS 56195.8 (b)(5))

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6420 Special Transportation for Related Services

1. Special transportation shall be made available to access a related service when the related service is not available at the child's school of attendance.
2. Reimbursement for transportation provided by the parent shall be the responsibility of the district of residence or County Education Office. The rate of reimbursement will be set by the respective board.

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6421 Services for Students with Low Incidence Disabilities

Students with low incidence disabilities shall be provided instruction in a manner that is consistent with state guidelines.

DATE APPROVED: September 5, 1997

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6422 Low Incidence Specialized Equipment, Materials and Services

The Santa Barbara County SELPA (SBCSELPA) shall provide specialized equipment, materials and services to students in special education with a low incidence disability when the IEP team concludes that these are necessary for them to benefit from special education.

Low Incidence funds will be utilized to provide the necessary equipment, materials and services. In accordance with State Guidelines, Low Incidence funds for equipment and services will not be co-mingled. Funding for specialized equipment, materials and services will be distributed within the SBCSELPA in a manner that maximizes the opportunities to serve pupils in the least restrictive environments.

(EDUCATION CODE 56206)

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6423 Process for Allocation of Low Incidence Materials, Equipment and Services

Specialized materials, equipment and services shall be provided to students with low incidence disabilities (as defined in E.C. 56026.5) when such materials, equipment, or services are required under the IEP. Regarding specialized equipment or materials, the following procedures shall take place:

When special education staff or the IEP Team determines that a student with a low incidence disability has an educational need for a specialized type of equipment, materials, or services, a request for purchase or reimbursement of low incidence materials or equipment shall be made to the special education administrator of the district of residence using the Santa Barbara County SELPA (SBCSELPA) form designated for this purpose. The low incidence request shall indicate the reason that the low incidence materials or equipment are required under the IEP.

The educational need for the low incidence request shall be described in terms of functional need or on the IEPs of students with low incidence disabilities. The goals and objectives should describe the skills the student is expected to achieve with the assistance of the low incidence materials, equipment, or services.

The special education administrator of the district of residence (DOR) will consider, but not be limited to, the following sources of procurement of the specialized equipment or materials: other district equipment surplus, State Clearinghouse for specialized equipment, or California Children Services funding. If the director determines that no other options exist for the purchase or donation of specialized equipment or materials and the director deems that the request is in conformity with the California Department of Education's guidelines for use of low incidence funds, then the requested purchase may be made utilizing the DOR's allocation of low incidence materials, equipment, or services funding. The DOR's special education administrator shall assume the responsibility for assuring that funds for low incidence materials and equipment are expended in accordance with the legal requirements and guidelines for their use as published by the California Department of Education. Any specialized equipment that is purchased with low incidence funds becomes the property of the SBCSELPA. Equipment purchased by parental insurance is the property of the student's parent.

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6423 Process for Allocation of Low Incidence Materials, Equipment and Services
(Continued)

When the usefulness of such equipment has ceased in the requesting district, said specialized equipment will be available for use throughout the SBCSELPA. Liability and maintenance insurance and costs shall be borne by the district/county using the equipment. These costs will be taken from the Low Incidence entitlement.

(EDUCATION CODE SECTIONS 56136, 56345(b)(7))

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6424 Special Classes

Special education is an integral part of the total public education system and provides education in the manner that promotes maximal interaction between pupils with disabilities and students without disabilities, as appropriate to the needs of both. Whenever possible, Special Day Classes shall be located to promote optimal appropriate interactions within regular education environments. Special classes shall enroll the pupils only when the nature or severity of the disability precludes their participation in the regular school program.

Removal of an individual with exceptional needs from the regular education environment shall occur only when the nature or severity of the disability is such that education in regular classes with the use of supplemental aids and services cannot be achieved satisfactorily. On providing or arranging for the provision of nonacademic and extracurricular services and activities, including recess periods and meals, each local education agency shall ensure that each individual with exceptional needs participates in those activities and services with pupils without disabilities to the maximum extent appropriate.

Placement in special classes shall not restrict the consideration of options, including any combination of programs and services as may be required to meet the needs of the pupil as specified on the pupil's IEP. Unless otherwise stipulated by the IEP Team as a special need, pupils in a Special Day Class shall be provided with an instructional day equivalent in length to that provided to the student's peers in regular education. Allocation of instructional assistants for special day class programs shall be based upon the needs of each class, determined on an individual basis.

(EDUCATION CODE SECTION 56031, 56364.2 and TITLE 53053)

DATE APPROVED: January 9, 1987

DATE REVISED: November 2, 1990

DATE REVISED: December 6, 1991

DATE REVISED: March 3, 1995

DATE REVISED December 9, 2002

DATE REVISED October 6, 2003

SANTA BARBARA COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA

6000 SPECIAL EDUCATION - INSTRUCTION

6400 IMPLEMENTATION

6425 Least Restrictive Environment

To the maximum extent appropriate, children with disabilities, including those public or private institutions or other care facilities, are educated with children who are not disabled. Special classes, separate schooling, or other removal of disabled children from the regular educational environment occurs only when the nature or severity of the disability is such that education in regular classes cannot be achieved satisfactorily.

Special education programs, to the maximum extent appropriate to student's needs, are housed on regular school campuses and dispersed throughout the district.

Programs for students with severe disabilities shall be located in age-appropriate, non-segregated, school settings to the maximum extent possible.

The physical location of the program is intended to facilitate continuing social interaction with students without disabilities.

Long-range plans and commitments for physical housing on regular school campuses are made in order to avoid frequent and disruptive program relocations.

Through long-range commitments for physical housing on regular school campuses, individuals with exceptional needs are afforded opportunities to develop and maintain continuing relationships with nondisabled peers.

DATE APPROVED: June 2, 1989
DATE REVISED: March 3, 1995
DATE REVISED: December 9, 2002

SANTA BARBARA COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA

6000 SPECIAL EDUCATION - INSTRUCTION

6400 IMPLEMENTATION

6426 Least Restrictive Delivery Systems

The Santa Barbara County SELPA will provide a full continuum of program options to meet the educational and service needs of individuals with exceptional needs in the least restrictive environment.

The IEP team shall determine the extent to which an individual with exceptional needs participates in regular education with students without disabilities. The determination of appropriate program placement, related services needed, and curriculum modifications is made by the IEP Team based upon the unique needs of the disabled student rather than the label describing the disabling condition or the availability of programs. Individuals with exceptional needs are offered programs as identified on the IEP which promote maximum interaction with the general school population in a manner which is appropriate to the needs of both. (EC Section 56001(g)).

Program and service alternatives considered by the IEP Team will be documented on the IEP.

As each service alternative is considered by the IEP Team, significant consideration will be given to the pupil's opportunity to interact with age appropriate regular education peers as well as meeting the educational needs of the pupil. It will be the responsibility of the IEP team to determine the appropriate balance between special services and the regular program. Individuals with exceptional needs shall be grouped for instructional purposes according to their instructional needs (Ed. Code 56031).

DATE APPROVED: January 9, 1987
DATE REVISED: June 2, 1989
DATE REVISED: November 8, 1991
DATE REVISED: March 3, 1995
DATE REVISED: December 9, 2002

SANTA BARBARA COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA

6000 SPECIAL EDUCATION - INSTRUCTION

6400 IMPLEMENTATION

6427 Nonpublic, Nonsectarian School and Agency Services

The Santa Barbara County SELPA (SBCSELPA) and its member local education agencies shall utilize nonpublic, nonsectarian school and/or agency services only when SBCSELPA resources are inappropriate to implement the IEP of an individual with disabilities.

Before contracting with an out-of-state nonpublic, nonsectarian school or agency, the SBCSELPA or the contracting local education agency, as appropriate, shall document its efforts to utilize public schools or to locate an appropriate nonpublic, nonsectarian school or agency within the state.

If an individual with disabilities is placed in a an out-of-state nonpublic, nonsectarian school, the SBCSELPA will, within 15 days of the placement decision, submit a report to the State Superintendent of Public Instruction that includes information about the special education and related services provided by the out-of-state program and the efforts of the local education agency and the SBCSELPA to locate an appropriate in-state public school or nonpublic, nonsectarian school or agency, or a combination thereof.

For individuals with disabilities placed in out-of-state nonpublic nonsectarian school or agency programs, the SBCSELPA or contracting local education agency, as appropriate, shall indicate the anticipated date for the pupil's return to an in-state public or nonpublic, nonsectarian school or agency placement or combination thereof, and shall document efforts during the previous placement year to return the pupil.

(EDUCATION CODE SECTIONS 56365(e), 56365 (f), 56365 (g))

DATE APPROVED: January 9, 1987

DATE REVISED: December 9, 2002

DATE REVISED: February 2, 2015

SANTA BARBARA COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA

6000 SPECIAL EDUCATION - INSTRUCTION

6400 IMPLEMENTATION

6428 Standards and Contracting Requirements for Nonpublic Schools and Agencies

The Santa Barbara County SELPA (SBCSELPA) and its member local education agencies shall enter into master contracts for the provision of special education and/or related services only with nonpublic schools and agencies that have been certified by the California Department of Education as meeting appropriate standards relating to the required special education and specified related services and facilities for individuals with disabilities.

Master contracts developed for nonpublic, nonsectarian school or agency services shall be consistent with the provisions of California Education Code Sections 56366(a)(1), 56366(b) and 56366(d), and policy memorandums issued by the California Department of Education.

The master contract shall specify the general administrative and financial agreements between the nonpublic, nonsectarian school or agency and the SBCSELPA or contracting local education agency, as appropriate, to provide special education and related services, as well as transportation as specified in the pupil's individualized education program.

The master contract shall include procedures for record keeping and documentation to assure that appropriate high school graduation credit is received by the pupil.

The master contract may allow for partial or full-time attendance at the nonpublic school.

The master contract shall include an individual service agreement for each pupil receiving nonpublic school or agency services negotiated for the length of time for which nonpublic school or agency services are specified in the pupil's individualized education program.

Changes in educational instruction, services, or placement provided under the contract may be made only on the basis of revisions to the pupil's individualized education program.

SANTA BARBARA COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA

6000 SPECIAL EDUCATION - INSTRUCTION

6400 IMPLEMENTATION

6428 Standards and Contracting Requirements for Nonpublic Schools and Agencies
(Continued)

The nonpublic school or agency shall provide all services specified in the individualized education program unless the nonpublic school or agency and the SBCSELPA or contracting local education agency agree otherwise in the contract or individual service agreement.

The master contract or individual service agreement shall not include special education transportation provided through the use of services or equipment owned, leased, or contracted by a district, SBCSELPA, or county office, unless provided directly or subcontracted by the nonpublic school or agency.

The master contract shall specify the schedule for apprising the SBCSELPA or contracting local education agency of the progress of pupils being served pursuant to such contract.

The master contract shall contain provisions for billing and payment for services consistent with the requirements of Education Code Sections 56366 (c)(1) and 56366.5.

The master contract shall contain assurances that special education and related services will be delivered utilizing appropriate, credentialed/qualified teachers and/or staff as specified by the individualized education program and/or the individual service agreement in accordance with the requirements of Education Code Section 56061 and 56366.

Nonpublic schools with which the SBCSELPA and its member local education agencies enter into contracts for the provision of special education shall have available a written course of study designed to provide adequate credits for high school graduation for secondary age students.

By entering into master and individual service contracts with the SBCSELPA and its member local education agencies, nonpublic schools and agencies assure that students shall receive designated instruction and services related services as specified in their individualized education programs. Failure to provide such services shall be grounds for termination of the master and individual service contracts and may also be grounds for suspension or revocation of the certification of the nonpublic school or agency.

SANTA BARBARA COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA

6000 SPECIAL EDUCATION - INSTRUCTION

6400 IMPLEMENTATION

6428 Standards and Contracting Requirements for Nonpublic Schools and Agencies
(Continued)

Each nonpublic school or agency shall be required to submit monthly attendance records verifying that all instructional services have been provided as specified in the individualized education programs of those students being served by the school or agency.

(EDUCATION CODE SECTIONS 51223.5, 51228, 56061, 56205(c), 56366, 56366.5 56200(j))

DATE APPROVED: January 9, 1987
DATE REVISED: December 9, 2002
DATE REVISED: February 2, 2015

SANTA BARBARA COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA

6000 SPECIAL EDUCATION - INSTRUCTION

6400 IMPLEMENTATION

6429 Services for Individuals with Exceptional Needs Placed in Public Hospitals, Proprietary Hospitals, and Other Residential Medical Facilities

Educational services for individuals with exceptional needs placed in public hospitals, proprietary hospitals, and other residential medical facilities shall be provided to eligible pupils by the school district in which the hospital is located. If the hospital is located within the boundaries of a direct service district, the educational services shall be provided by the Santa Barbara County Education Office.

(EDUCATION CODE 56195.7(e))

DATE APPROVED: December 9, 2002

SANTA BARBARA COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA

6000 SPECIAL EDUCATION - INSTRUCTION

6400 IMPLEMENTATION

6430 Licensed Childrens Institutions and Foster Family Homes

The Santa Barbara County SELPA (SBCSELPA) shall assure the provision of appropriate education to individuals with exceptional needs residing in LCI's, STRTP's and Foster Family Homes located in Santa Barbara County.

Children residing in Licensed Childrens Institutions and foster homes located in the SBCSELPA have available to them the full continuum of services which is available to any other child whose district of residence falls within the geographic boundaries of Santa Barbara County. Access to these services will be achieved in the same manner as required for all other children eligible to receive services in the SBCSELPA.

(EDUCATION CODE 56195.7(f))

DATE APPROVED: January 9, 1987

DATE REVISED: December 9, 2002

DATE REVISED: February 2, 2015

SANTA BARBARA COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA

6000 SPECIAL EDUCATION - INSTRUCTION

6400 IMPLEMENTATION

6431 Juvenile Court Schools

Special education for individuals with exceptional needs who have been adjudicated by the juvenile court for placement in such settings as the juvenile hall or a juvenile home, day center, ranch or camp, or for individuals with exceptional needs placed in a county community school located in Santa Barbara County shall be provided by the Santa Barbara County Education Office of and by the appropriate local education agency, for the provision of services for pupils with visual or hearing impairments.

(EDUCATION CODE 56195.7(g))

DATE APPROVED: January 9, 1987
DATE REVISED: March 3, 1995
DATE REVISED: December 9, 2002

SANTA BARBARA COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA

6000 SPECIAL EDUCATION - INSTRUCTION

6400 IMPLEMENTATION

6432 Participation of Students who Require Special Education in the California Reading Initiative

The local education agencies that comprise the Santa Barbara County SELPA shall ensure that students who require special education will participate in the California Reading Initiative.

Special education instructional personnel will participate in staff development inservice opportunities in the area of literacy that include:

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

The local education agencies that comprise the Santa Barbara County SELPA shall also ensure that students with disabilities will have full access to all required core curriculum including state-adopted core curriculum textbooks and supplementary textbooks and instructional materials and support in order that students with disabilities attain higher standards in reading.

(STATE BOARD REQUIREMENT)

DATE APPROVED: November 4, 2002

SANTA BARBARA COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA

6000 SPECIAL EDUCATION - INSTRUCTION

6400 IMPLEMENTATION

6433 Inter-SELPA Transfers

The placement of students in special education referred by an IEP Team from an adjacent SELPA to the Santa Barbara County SELPA (SBCSELPA) shall be evaluated on a case-by-case basis. Any potential incoming inter-SELPA transfer of a special education student shall be forwarded to the SBCSELPA Executive Director, who shall then contact the potential program operator and/or affected district. The individual director(s)/ coordinator(s) and superintendent(s) who may be affected will be involved with each transfer and shall consider relevant Education Code Sections and have the final decision-making authority regarding acceptance of the pupil into the requested program pursuant to Education Code requirements. A student's inter-SELPA transfer shall be reviewed on at least an annual basis. The SBCSELPA office shall be responsible for obtaining agreement from the sending SELPA for the appropriate transfer of funds based upon the circumstances of each individual case.

DATE APPROVED: April 8, 1987
DATE REVISED: September 5, 1997
DATE REVISED: December 9, 2002
DATE REVISED: February 2, 2015

SANTA BARBARA COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA

6000 SPECIAL EDUCATION - INSTRUCTION

6400 IMPLEMENTATION

6434 Procedural Safeguards

The districts and the County Education Office that comprise the Santa Barbara County SELPA shall assure the establishment and maintenance of all procedural safeguards under the Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 and following) as well as those pursuant to Chapter 5 of the Education Code (commencing with Section 56500).

At each Individualized Education Program meeting, the responsible administrator or administrative designee shall inform the parent and pupil of the federal and state procedural safeguards that were provided in the notice of parent rights pursuant to Education Code Section 56321.

The rights and protections afforded to individuals with exceptional needs and their parents include, but are not limited to, the following:

1. The right to initiate a referral of a child for special education services
2. The right to obtain an independent educational assessment
3. The right to participate in the development of the Individualized Education Program and to be informed of the availability of a free appropriate public education under state and federal law
4. The right and opportunity to examine all school records of the child and to receive copies upon request
5. The right to an expeditious resolution of complaints regarding any alleged violations of the Individuals with Disabilities Education Act
6. The right to a fair and impartial administrative hearing at the state level.

(EDUCATION CODE 56195.8(b)(3), 56205(a))

DATE APPROVED: December 19, 2002

SANTA BARBARA COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA

6000 SPECIAL EDUCATION - INSTRUCTION

6400 IMPLEMENTATION

6435 Interagency/ Memorandum of Understanding Agreements

The Santa Barbara County SELPA Executive Director in consultation with an ad hoc committee will establish, maintain and revise as necessary the agreements with the following local public agencies:

1. California Children Services
2. Tri-Counties Regional Center
3. Department of Rehabilitation
4. Community Action Commission, Head Start Program
5. Tri-Counties Regional Center, Part C

All interagency/ memorandum of understanding agreements shall be approved by the JPA Board.

Other interagency/memorandum of understanding agreements may be established as deemed necessary.

DATE APPROVED: January 9, 1987
DATE REVISED: November 8, 1991
DATE REVISED: December 9, 2002
DATE REVISED: November 7, 2011
DATE REVISED: February 2, 2015

SANTA BARBARA COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA

6000 SPECIAL EDUCATION - INSTRUCTION

6400 IMPLEMENTATION

6436 Recognition of Educational Achievement

It is the intent of the Santa Barbara County SELPA (SBCSELPA) that individuals with exceptional needs receive recognition in lieu of a high school diploma for satisfactory participation in their individualized high school course of study.

To this end, local education agencies operating secondary programs within the SBCSELPA are strongly encouraged to make provision to award a certificate of educational achievement to an individual with exceptional needs who is unable to meet the regular district standards and requirements for a diploma due to the nature or severity of his or her disability. Pursuant to Education Code Section 56391, an individual with exceptional needs who meets the criteria for a certificate of educational achievement is eligible to participate in any graduation ceremony and any school activity related to graduation in which a pupil of similar age without disabilities is eligible to participate. Participation in graduation ceremonies does not equate to completion with a regular high school diploma.

To be eligible for a certificate of educational achievement, an individual with exceptional needs must meet the requirements of (a), (b) or (c) below.

- a. The student has satisfactorily completed an alternative course of study approved by the governing board of the school district in which the student attended school or the local education agency with jurisdiction over the student and identified in his or her IEP;
- b. The student has satisfactorily met his or her IEP goals and objectives during high school as determined by the IEP team; or
- c. The student has satisfactorily attended high school, participated in the instruction specified in his or her IEP, and has met the objectives of the statement of transition services.

(EDUCATION CODE 56390-56392)

DATE APPROVED: November 4, 2002

DATE REVISED: February 2, 2015

SANTA BARBARA COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA

6000 SPECIAL EDUCATION - INSTRUCTION

6400 IMPLEMENTATION

6438 Full Educational Opportunity

Each of the Santa Barbara County SELPA's local education agencies shall ensure that students with disabilities have access to the educational programs, services and activities available to students without disabilities, including nonacademic and extra-curricular services and activities, and participate in those programs, services and activities as appropriate to their needs.

(EDUCATION CODE SECTION 56205(a))

DATE APPROVED October 6, 2003

DATE REVISED: February 2, 2015

SANTA BARBARA COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA

6000 SPECIAL EDUCATION - INSTRUCTION

6400 IMPLEMENTATION

6439 Suspension and Expulsion of Students Enrolled in Regional Programs

This policy addresses suspension/expulsion procedures for special education students enrolled in Regional programs operated by an entity other than the student's district of residence with the exception of students attending county-operated court and community schools.

Suspensions in Cases Where Expulsion is Not Being Considered

1. If a student enrolled in a Regional program violates a school rule that warrants suspension and the violation takes place within the context of the Regional program, the Regional program administrator will be responsible for the suspension process.
2. If a student enrolled in a Regional program violates a school rule where suspension is warranted and the violation takes place at a school activity, on the grounds of the school campus or in a regular classroom, the site administrator and the administrator of the Regional program will collaborate in implementing the suspension.

Recommendations for Expulsion for Students Enrolled in Regional Programs

1. If a student enrolled in a Regional program commits an offense for which expulsion may be considered, the administrator of the Regional program and the site administrator, if appropriate to the circumstances of the offense, will collaborate in implementing the pre-expulsion suspension.
2. The administrator of the Regional program, the site administrator of the program's location and a designated administrator from the student's district of residence shall collaborate in reaching the decision regarding a recommendation for expulsion. The administrator of the Regional program, the site administrator, and the administrator from the district of residence shall work together in collecting the evidence relevant to the recommendation for expulsion. Evidence will be gathered in conformance with the expulsion procedures of the district of residence.
3. The administrator of the Regional program shall be responsible for coordinating any necessary pre-expulsion assessments.

SANTA BARBARA COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA

6000 SPECIAL EDUCATION - INSTRUCTION

6400 IMPLEMENTATION

6439 Suspension and Expulsion of Students Enrolled in Regional Programs
(Continued)

4. The administrator of the Regional program is responsible for holding the manifestation determination IEP meeting. The designated administrator in charge of expulsion and the special education administrator from the district of residence shall be invited to and shall participate in the meeting. The site administrator from the school of attendance shall also be invited to participate in the manifestation determination IEP if appropriate to the circumstances of the school misbehavior.
5. The administrator of the Regional program and the administrator in charge of expulsion and the special education administrator from the student's district of residence shall be jointly responsible for presenting the recommendation for expulsion to the board of education or hearing panel from the district of residence.
6. The board of education of the district of residence shall be responsible for the final recommendation regarding expulsion.
7. The student's district of residence shall be responsible for assuring that the student is provided with appropriate special education services during the period of the expulsion.

Date Approved: November 3, 2004

SANTA BARBARA COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA

6000 SPECIAL EDUCATION - INSTRUCTION

6400 IMPLEMENTATION

6440 Access to Instructional Materials

Consistent with the requirements of state and federal law, the local education agencies of the Santa Barbara County SELPA will, in a timely manner, provide to blind persons or other persons with print disabilities instructional materials that are produced in, or may be rendered in, specialized formats.

DATE APPROVED: December 3, 2007

SANTA BARBARA COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA

6000 SPECIAL EDUCATION - INSTRUCTION

6400 IMPLEMENTATION

6441 Inclusion of Regional Classroom Staff and Students in Dissemination of School-wide Notices, Materials, Events, and Meetings

1. All notices for changes in schedules, special events, assemblies, etc. sent to the general education classrooms shall be sent to the regional classroom.
2. All notices/bulletins on testing, or other school/curriculum matters shall be sent to the regional classroom.
3. Regional staff shall be invited to attend school-wide staff meetings.
4. The regional class staff should be advised of any special meetings, school-wide trainings/in-services, etc. It shall be at the discretion of the classroom teacher and the special education coordinator/director, as to the relevance of attending the meeting. If the principal feels the regional staff should attend a specific meeting, the regional staff shall attend unless there is some specific rationale for not attending. If necessary, this can be handled between the two special education coordinators/directors of the regional and district programs.
5. Regional students shall be invited to participate in school-wide photography for class pictures, yearbooks, etc.

DATE APPROVED: December 3, 2007

SANTA BARBARA COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA

6000 SPECIAL EDUCATION - INSTRUCTION

6400 IMPLEMENTATION

6442 Testing for Students Enrolled in Regional Programs

1. The regional operator shall oversee and handle CAASPP testing for the regional students.
2. The regional operator shall oversee and handle Desired Results for regionally enrolled preschool students housed at district sites.
3. The regional operator shall be responsible for ELPAC or alternate assessment for regional students in Special Day Class programs.
4. The regional operator shall be responsible for overseeing and administering alternate assessments to regional high school students in Special Day Class programs.

DATE APPROVED: February 4, 2008
DATE REVISED: February 7, 2011

SANTA BARBARA COUNTY
SPECIAL EDUCATION LOCAL PLAN AREA

6000 SPECIAL EDUCATION - INSTRUCTION

6400 IMPLEMENTATION

6443 Registration, Transcripts and Diplomas

When a student is placed in a regional program, all district policies related to registration, transcripts and diplomas shall apply to the regional student.

1. Regional students will be officially enrolled in/registered (not for ADA purposes) in district classes and shall receive credits and transcripts from the district.
2. Upon completion of all requirements to earn a high school diploma, or a certificate of achievement/completion, regional students shall be allowed to participate in all graduation activities, to include commencement.
3. When students are placed in off-site programs (e.g., Community-based TLP) by the IEP team to better meet their needs, the district location of the program shall become the school of residence for those students. These students shall have equal access to services and shall retain the rights delineated above for the purposes of registration in classes, earning credits, transcripts and diplomas (not for ADA purposes).

DATE APPROVED: December 3, 2007

DATE REVISED: October 2, 2017