

Yuba County SELPA Procedural Handbook

LEA MEMBERSHIP:

CAMPTONVILLE UNION ELEMENTARY SCHOOL DISTRICT

CALIFORNIA MONTESSORI PROJECT CONSORTIUM

MARYSVILLE JOINT UNIFIED SCHOOL DISTRICT

PLUMAS LAKE ELEMENTARY SCHOOL DISTRICT

WHEATLAND SCHOOL DISTRICT

WHEATLAND UNION HIGH SCHOOL DISTRICT

YUBA COUNTY OFFICE OF EDUCATION

LORA GONZALEZ, M.ED - SELPA DIRECTOR

**YUBA COUNTY SELPA PROCEDURAL HANDBOOK
TABLE OF CONTENTS**

CHAPTER 1 ORGANIZATIONAL STRUCTURE

Chapter 1 Table of Contents

- 1.1 Continuum of Services
- 1.2 Delivery of Services
- 1.3 Organizational Structure Flowchart
- 1.4 General Roles and Responsibilities
- 1.5 General Role of SELPA Director

CHAPTER 2 PARENTAL RIGHTS AND NOTICE OF PROCEDURAL SAFEGUARDS

Chapter 2 Table of Contents

- 2.1 Procedural Safeguards
- 2.2 Prior Written Notice
- 2.3 Procedural Safeguards Notice
- 2.4 Format of Procedural Safeguards Notice
- 2.5 Filing for Due Process
- 2.6 District Response to Due Process Complaint
- 2.7 Informal Process Pre-Hearing Mediation Conference
- 2.8 State Compliance Complaint

Appendix A

Yuba County SELPA Procedural Safeguards

CHAPTER 3 REFERRAL, ASSESSMENT AND IDENTIFICATION

Chapter 3 Table of Contents

- 3.1 Purpose and Scope
- 3.2 Child Find
- 3.3 Pre-Referral
 - 3.3. A Pre-Referral Activities
 - 3.3. B Student Study Team
- 3.4 Referral Process
 - 3.4. A Source of Referrals
 - 3.4. B Referral Procedures
 - 3.4. C Flow Chart Initial Referrals for Special Education
- 3.5 Parental Consent for Initial Evaluation
 - 3.5. A Procedural Safeguards Requirements

- 3.6 Assessment Timelines
- 3.7 Assessment Plan
- 3.8 Assessment Process
 - 3.8. A Initial Assessments
 - 3.8. B Assessment Requirements
 - 3.8. C Assessment of African American Students
 - 3.8. D Assessment Report
 - 3.8. E Reassessments
- 3.9 State and Federally Mandated Assessment

Appendix A

Fagen, Friedman & Fulfrost Special Education Timelines

CHAPTER 4 SPECIAL EDUCATION ELIGIBILITY

Chapter 4 Table of Contents

- 4.1 Purpose and Scope
- 4.2 Eligibility Criteria
 - 4.2. A Three Primary Factors Must Be Considered
 - 4.2. B Special Rule for Eligibility Determination
- 4.3 Severe Disabilities and Non-Severe Disabilities
- 4.4 Eligibility Categories
- 4.5 IEP Team Guidance on Determining Eligibility
- 4.6 Exiting Students from Special Education
 - 4.6. A Three Reasons to Exit Students from Special Education
 - 4.6. B Student is No Longer Eligible
 - 4.6. C Graduated with a Diploma
 - 4.6. D Aging Out
 - 4.6. E Certificate of Achievement or Certificate of Completion
 - 4.6. F Revocation of Consent

Appendix A

Yuba County SELPA Eligibility Criteria Guidelines

CHAPTER 5 COMPONENTS OF THE INDIVIDUALIZED EDUCATION PLAN (IEP)

Chapter 5 Table of Contents

- 5.1 Purpose and Scope
- 5.2 Individualized Education Program Requirements
 - 5.2. A Development of the Individualized Education Program (IEP)
 - 5.2. B Parent Consent to IEP
 - 5.2. C Audio Recording of IEP Meeting
 - 5.2. D IEP Content
- 5.3 IEP Team Members

- 5.3. A IEP Team Member Excusal
- 5.3. B Parents Cannot Attend IEP Meeting
- 5.4 Parent Consent Procedures
- 5.5 Least Restrictive Environment (LRE)
- 5.6 Special Education and Related Services and Descriptors
 - 5.6. A Specialized Academic Instruction/Resource Specialist Program/Non-Intensive Services
 - 5.6. B Specialized Academic Instruction/Special Day Class/Intensive Services
 - 5.6. C Nonpublic, Nonsectarian Schools Services
 - 5.6. D State Special Schools
 - 5.6. E Residential Schools
 - 5.6. F Home and Hospital Instruction
- 5.7 Related Services
 - 5.7. A Speech and Language Services
 - 5.7. B Audiological Services
 - 5.7. C Orientation and Mobility Instruction
 - 5.7. D Instruction in Home and Hospital
 - 5.7. G Vision Services
 - 5.7. H Psychological Services
 - 5.7. I Parent Counseling and Training
 - 5.7. J Educationally Related Mental Health Services (ERMHS)
 - 5.7. K Health and Nursing Services
 - 5.7. L Specially Designed Vocational Education and Career Development
 - 5.7. M Recreation Services
 - 5.7. N Specialized Services for Low Incidence Disabilities
 - 5.7. O Services for Pupils with Chronic Illnesses or Acute Health Problems
 - 5.7. P Services for Deaf or Hard of Hearing
 - 5.7. Q Individual and Small Group Instruction
- 5.8 Review and Revision of the IEP
 - 5.8. A Making Changes and Amendments to the IEP
 - 5.8. B IEP Team Meetings Required
 - 5.8. C Consolidation of IEP Meetings
- 5.9 IEP Meeting Process
 - 5.9. A Present Levels of Academic Achievement and Functional Performance
 - 5.9. B Individual Transition Plan and Transition Services
 - 5.9. C Consideration of Special Factors
 - Assistive Technology
 - Low Incidence

- Deaf or Hard of Hearing
- English Learners
- Behavior
- 5.9. D Developing Goals
- 5.9. E Discussion of Options Considered
- 5.9. F Supplementary Aids and Services
- 5.9. G Determination of Special Education and Related Services
- 5.9. H Extended School Year (ESY)
- 5.10 IEP Under Emergency Conditions
- 5.11 Individualized Education Program: Transitions
 - 5.11. A Transition from Preschool to Elementary School
 - 5.11. B Transition from Special Class or Center or From Non-Public, Nonsectarian School to the General Education Classroom in the Public School
 - 5.11. C Secondary Transition
- 5.12 Educational Benefit
 - 5.12. A Components of Educational Benefit Analysis
 - 5.12. B Definition of FAPE
- 5.13 Interim Placements
 - 5.13. A Transfers from District to District within the State
 - 5.13. B Transfers from District to District within the SELPA
 - 5.13. C Transfers from District from Outside the State

- Appendix A
 - CALPADS Special Education Service Codes
- Appendix B
 - Educationally Related Mental Health Services (ERMHS) Guidelines
- Appendix C
 - Sample IEP Meeting Agenda
- Appendix D
 - State SELPA IEP Manual Main Forms – August 2022
- Appendix E
 - State SELPA IEP Manual Supplemental Forms – August 2022

CHAPTER 6 EARLY CHILDHOOD EDUCATION

Chapter 6 Table of Contents

- 6.1 Purpose and Scope
- 6.2 Identification and Referral
- 6.3 Early Start Program Description
- 6.4 Assessment to Determine Eligibility
- 6.5 Assessment for Service Planning
- 6.6 Timeline for Completion of Evaluation and Assessment

- 6.7 Eligibility
 - 6.7. A Regional Center Eligibility
 - 6.7. B IDEA Eligibility
- 6.8 Development of the IFSP
 - 6.8. A Contents of the IFSP
 - 6.8. B Review of the IFSP
- 6.9 Transition Requirements for Early Intervention
- 6.10 Preschool Children (Age Three to Five) with Disabilities
 - 6.10. A Identification and Referral
 - 6.10. B Evaluation and Assessment
 - 6.10. C Eligibility
 - 6.10. D Individualized Education Program
 - 6.10. E Services for Preschool Children with Disabilities
 - 6.10. F Instructional Adult-to-Child Ratio
 - 6.10. G Transition from Preschool to Kindergarten

Appendix A

Interagency Agreement Between Part C of the Individuals with Disabilities Education Act Between Alta California Regional Center and Sutter/Yuba County SELPAs

Appendix B

Interagency Agreement Between Yuba County SELPA, Yuba County Office of Education, Sutter County SELPA, Sutter County Superintendent of Schools

CHAPTER 7 SECONDARY TRANSITION

Chapter 7 Table of Contents

- 7.1 Purpose and Scope
- 7.2 Definition of Transition Services
- 7.3 Timeline for Developing Individual Transition Plan
- 7.4 Areas to Be Addressed
 - 7.4. A Instruction
 - 7.4. B Related Services
 - 7.4. C Community Experiences
 - 7.4. D Employment
 - 7.4. E Daily Living Skills and Functional Evaluation
- 7.5 Other Agency Involvement
- 7.6 IEP Team Participants for Secondary Transition
 - 7.6. A Student
 - 7.6. B Parent/Family
 - 7.6. C Special Education Specialist
 - 7.6. D General Education Teacher

- 7.6. E LEA Representative
- 7.6. F Other Specialists
- 7.6. G Other Appropriate Agency Personnel
- 7.7 Post-Secondary Goals
- 7.8 Summary of Academic Achievement and Functional Performance
- 7.9 Transfer of Rights at Age of Majority
- 7.10 Post-Secondary Follow-Up
- 7.11 Students Between Nineteen and Twenty-two Years

Appendix A

Legal Requirement and Best Practices Q & A

Appendix B

Follow Up Data Collection Sheet

CHAPTER 8 ENGLISH LEARNERS WITH DISABILITIES

Chapter 8 Table of Contents

- 8.1 Purpose and Scope

Appendix A California Practitioners' Guide for Educating English Learners with Disabilities

CHAPTER 9 PUPIL RECORDS

Chapter 9 Table of Contents

- 9.1 Purpose and Scope
 - 9.1. A Definition
 - 9.1. B Confidentiality of Student Records
- 9.2 Parent Right to Access Pupil Records
- 9.3 Safeguards
- 9.4 Consent to Release Student Records
- 9.5 Log of Requests for Information
- 9.6 Confidentiality of Student Records Containing IQ Information
- 9.7 Amendment of Records
- 9.8 Retention and Destruction of Pupil Records
 - 9.8. A Mandatory Permanent Records
 - 9.8. B Mandatory Interim Records
 - 9.8. C Permitted Records
 - 9.8. D Destruction Procedures

Appendix A

Access Log for Accessing Pupil Confidential Special Education Files

CHAPTER 10 STUDENT DISCIPLINE/SUSPENSION AND EXPULSION

Chapter 10 Table of Contents

- 10.1 Discipline
 - 10.2 Suspension
 - 10.3 Services During Suspension
 - 10.4 Transportation During Suspension
 - 10.5 Procedural Safeguards
 - 10.6 Manifestation Determination
 - 10.6. A Determination that Behavior is a Manifestation
 - 10.6. B Determination that Behavior is not a Manifestation of the Disability
 - 10.7 45 Day Removal to IAES (Special Circumstances)
 - 10.8 Services During 45-Day Placement
 - 10.9 Disciplinary Appeal Process
 - 10.10 Placement During the Appeal Process
 - 10.11 Expedited Hearing
 - 10.12 Authority of Administrative Law Judge (ALJ)
 - 10.13 Protections for Children Not Yet Eligible for Special Education and Related Services
 - 10.13. A Basis of Knowledge
 - 10.13. B Exception
 - 10.14 Conditions that Apply if No Basis of Knowledge
- Appendix A
Disciplinary Flow Chart
- Appendix B
Special Education Removals for Disciplinary Purposes

CHAPTER 11 ALTERNATIVE DISPUTE RESOLUTION AND DUE PROCESS

Chapter 11 Table of Contents

- 11.1 Alternative Dispute Resolution
 - 11.2 Due Process
 - 11.2. A Resolution Session
 - 11.2. B Mediation Conference
 - 11.3. C Formal Administrative Due Process Hearing
 - 11.3 Complaints
 - 11.4 Civil Rights Issues
- Appendix A
Continuum of Alternate Dispute Resolution Processes and Practices
- Appendix B
SELPA ADR Intake Form

Appendix C
Resolution Sessions Guidelines

CHAPTER 12 NONPUBLIC SCHOOLS/AGENCIES

Chapter 12 Table of Contents

- 12.1 Non-Public School/Agency Placement Process
- 12.2 Out-of-State Non-Public School Placements
- 12.3 Transition of Students from Elementary School District to High School District
- 12.4 Change of Student Residence
 - 12.4. A Transfer of Student Receiving Services in Non-Public School
 - 12.4. B Transfer of Student in A Residential Non-Public School
- 12.5 Out-of-Home Placements
 - 12.5.A Out-of-Home Placements by LEAs
 - 12.5.B Out-of-Home Placements by Other Agencies
 - Residential Costs
 - Educational Costs for Non-Public School Placements
 - Licensed Children’s Institutions
 - Foster Family Home
 - Homeless Shelter

Appendix A
Non-Public School/Agency Master Contract

Appendix B
Residency Responsibility Chart (Fagen, Friedman & Fulfrost)

CHAPTER 13 SURROGATE PARENTS

Chapter 13 Table of Contents

- 13.1 Basic Criteria for Appointing a Surrogate Parent
- 13.2 Recruitment of Volunteers
- 13.3 Screening of Applicants
- 13.4 Appointment of Surrogate Parent
- 13.5 Training
- 13.6 Access to Student
- 13.7 Access to Student Records
- 13.8 Use of Interim Surrogate Parents
- 13.9 Evaluation of Surrogate Parents
- 13.10 Termination Surrogate Parent Appointment
- 13.11 Conflict Resolutions and Appeals
- 13.12 Hold Harmless

- Appendix A
 - Surrogate Parent Agreement
- Appendix B
 - Notification of Surrogate Parent Authorization
- Appendix C
 - Surrogate Parents in California Special Education Manual
- Appendix D
 - Order Designation Educational Rights Holder
- Appendix E
 - Local Educational Response - JV535 Appointment of Surrogate Parent

CHAPTER 14 LOW INCIDENCE GUIDELINES

Chapter 14 Table of Contents

14.1 Purpose and Scope

- Appendix A
 - Yuba County SELPA Low Incidence Guide
- Appendix B
 - Low Incidence Expenditure Request Procedures
- Appendix C
 - Low Incidence Request Form
- Appendix D
 - Low Incidence Equipment Return/Repair/Transfer Form

CHAPTER 15 RESOURCES

Chapter 15 Table of Contents

- 15.1 Acronyms
- 15.2 Educational Benefit
 - 15.2. A Educational Benefit Review Form
 - 15.2. B Educational Benefit Checklist
- 15.3 Extended School Year (ESY)
 - 15.3. A ESY Eligibility Worksheet
 - 15.3. B ESY Programming Guidelines
 - 15.3. C ESY Regression/Recoupment Capacity Checklist
 - 15.3. D ESY Worksheet
 - 15.3. E What is ESY and What is Not ESY
- 15.4 Glossary of Special Education Terminology
- 15.5 Grades, Report Cards and Transcripts for Students with Disabilities
- 15.6 Guidelines for Transition from Elementary School District to High School District
- 15.7 IDEA and Section 504 Comparison
- 15.8 McKinney-Vento Homeless Act & Transportation Guidelines

- 15.9 Promotion and Retention of Students with Disabilities
- 15.10 Special Education Transportation Guidelines (CDE)
- 15.11 Special Circumstance Instructional Assistance (SCIA)
- 15.12 State Performance Plan
- 15.13 Student Study Team Guidelines
- 15.14 Travel Reimbursement Guidelines (parents) for Out-of-County Residential Nonpublic Schools (Sample)

CHAPTER 16 SELPA IEP Manuals

Chapter 16 Table of Contents

- 16.1 State SELPA IEP Forms Manual
- 16.2 State SELPA Supplemental Forms Manual

CHAPTER 17 SELPA POLICIES

Chapter 17 Table of Contents

- 17.1 SP.001 – Free Appropriate Public Education
- 17.2 SP.002 – Full Educational Opportunity
- 17.3 SP.003 – Child Find
- 17.4 SP.004 – Individualized Education Program (IEP) and Individualized Family Service Plan (IFSP)
- 17.5 SP.005 – Least Restrictive Environment
- 17.6 SP.006 – Procedural Safeguards
- 17.7 SP.007 – Evaluation
- 17.8 SP.008 – Confidentiality
- 17.9 SP.009 – Part C to Part B Transition
- 17.10 SP.010 – Private Schools
- 17.11 SP.011 – Local Compliance Assurances
- 17.12 SP.012 – Interagency
- 17.13 SP.013 – Governance
- 17.14 SP.014 – Personnel Qualifications
- 17.15 SP.015 – Performance Goals and Indicators
- 17.16 SP.016 – Participation in Assessments
- 17.17 SP.017 – Supplementation of State, Local, and Federal Funds
- 17.18 SP.018 – Maintenance of Effort
- 17.19 SP.019 – Public Participation
- 17.20 SP.020 – Suspension and Expulsion Data
- 17.21 SP.021 – Access to Instructional Materials
- 17.22 SP.022 – Over-Identification and Disproportionality
- 17.23 SP.023 – Prohibition on Mandatory Medicine
- 17.24 SP.024 – Non-Public Agencies and Non-Public Schools
- 17.25 SP.025 – Adults in Correctional Facilities
- 17.26 SP.026 – Dispute Resolution

- 17.27 SP.027 – Service Animals
- 17.28 SP.028 – Independent Education Evaluation
- 17.29 SP.029 – Regional Program Transfer
- 17.30 SP.030 – Surrogate Parents
- 17.31 SP.031 – Addressing Student Behavior with Positive Behavioral Interventions
- 17.32 SP.032 – Transportation