



TEHAMA COUNTY
Special Education Local Plan Area



GOVERNANCE BOARD POLICES
Adopted by Governance Council May
25, 2023

Table of Contents

| | |
|--|----|
| Participating Local Educational Agencies | 1 |
| <i>Federal Assurance Statements 129</i> | |
| Governance & Administrative Structure - Governance Board Policy 1 | 9 |
| 1a Governance Council | 9 |
| 1b Executive Committee | 10 |
| 1c Special Focus Committees | 12 |
| 1d SELPA Administrator | 12 |
| Regionalized Services & Program Specialists --Governance Board Policy 2 | 14 |
| 2a Assurances | 14 |
| 2b Program Specialists | 15 |
| Roles & Responsibilities of Participating Entities - Governance Board Policy 3 | 16 |
| 3a Administrative Unit (AU) | 16 |
| 3b Local Educational Agency (LEA) | 16 |
| 3c LEA Governing Boards | 17 |
| 3d LEA Superintendents | 18 |
| 3e LEA Special Education Administrators | 19 |
| 3f Community Advisory Committee (CAC) | 19 |
| Additional Elements of Local Plan (Governance Board Policies (GBP 417)) | 20 |
| GBP 4: Annual Budget Plan | 20 |
| GBP 5: Annual Service Plan | 20 |
| GBP 6: Programs for Early Childhood Special Education | 20 |
| GBP 7: Oversight of Nonpublic School Placements | 20 |
| GBP 8: Utilization of General Education Resources | 20 |
| GBP 9: Reading Criteria | 21 |
| GBP 10: Access to Core Curriculum | 21 |
| GBP 11: Low Incidence Funds | 21 |
| GBP 12: Request for SELPA Membership by a Charter School | 21 |
| GBP 13: Policies, Procedures, and Local Agreements | 22 |
| GBP 14: Amendments to the Local Plan | 22 |
| GBP 15: Public Addressing the Governing Body | 22 |
| GBP 16: Dispute Resolution | 23 |
| GBP 17: Allocation and Budget | 24 |

Participating Local Educational Agencies

Antelope Elementary School District
Corning Union Elementary School District
Corning Union High School District
Evergreen Union School District
Flournoy Elementary School
Gerber Union Elementary School
Kirkwood Elementary School
Lassen View Union Elementary School District
Los Molinos Unified School District
Red Bluff Joint Union High School District
Red Bluff Union Elementary School District
Reeds Creek Elementary School District
Richfield Elementary School District
Tehama County Department of Education
(Representing: Lincoln Street Charter, Tehama eLearning Charter, and Tehama Oaks)

**SPECIAL EDUCATION LOCAL PLAN AREA
LOCAL EDUCATION AGENCY (LEA) FEDERAL ASSURANCES**

1. FREE APPROPRIATE PUBLIC EDUCATION (20 USC § 1412 (a)(1))

It shall be the policy of this LEA that a free appropriate public education is available to all students 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 USC § 1412 (a)(2))

It shall be the policy of this LEA that all students with disabilities have access to educational programs, nonacademic programs, and services available to non-disabled students.

3. CHILD FIND (20 USC § 1412 (a)(3))

It shall be the policy of this LEA that all students with disabilities residing in the State, including students with disabilities who are homeless or are wards of the State and students 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 USC § 1412
(a)(4))**

It shall be the policy of this LEA that an Individualized Education Program (IEP) or an Individualized Family Service Plan (IFSP) is developed, reviewed and revised for each child with a disability who requires special education and related services in order to benefit from his/her individualized education program. It shall be the policy of this LEA that a review of an IEP will be conducted on at least an annual basis to review a student's progress and make appropriate revisions.

5. LEAST RESTRICTIVE ENVIRONMENT (20 USC § 1412 (a)(5))

It shall be the policy of this LEA that to the maximum extent appropriate, students with disabilities, including students in public or private institutions or other care facilities, are educated with students who are not disabled. Special class, separate

schooling, or other removal of a student with disabilities from the general educational environment, occurs only when the nature or severity of the disability of the student is such that education in general classes with the use of supplemental aids and services cannot be achieved satisfactorily.

6. PROCEDURAL SAFEGUARDS (20 USC § 1412 (a)(6))

It shall be the policy of this LEA that students with disabilities and their parents shall be afforded all procedural safeguards throughout the provision of a free appropriate public education including the identification, evaluation, and placement process.

7. EVALUATION (20 USC § 1412 (a)(7))

It shall be the policy of this LEA that a reassessment of a student with a disability shall be conducted at least once every three years or more frequently, if appropriate.

8. CONFIDENTIALITY (20 USC § 1412 (a)(8))

It shall be the policy of this LEA that the confidentiality of personally identifiable data information and records maintained by the LEA relating to students 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 USC § 1412 (a)(9))

It shall be the policy of this LEA that a transition process for a child who is participating in Early Intervention Programs (IDEA, Part C) with an IFSP is begun prior to a toddler's third birthday. The transition process shall be smooth, timely and effective for the child and family.

10. PRIVATE SCHOOLS (20 USC § 1412 (a)(10))

It shall be the policy of this LEA to assure that students 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 students with disabilities voluntarily enrolled in private school by their parents.

11. LOCAL COMPLIANCE ASSURANCES (20 USC § 1412 (a)(11))

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

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

It shall be the policy of this LEA that interagency agreements or other mechanisms for interagency coordination are in effect to ensure services required for FAPE are provided, including the continuation of services during an interagency dispute resolution process.

13. GOVERNANCE (20 USC § 1412 (a)(13))

It shall be the policy of this LEA to support and comply with the provisions of the governance bodies and any necessary administrative support to implement the Local Plan. A final determination that 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 Educational Agency.

14. PERSONNEL QUALIFICATIONS (20 USC § 1412 (a)(14))

It shall be the policy of this LEA to ensure that personnel providing special education related services meet the highly qualified requirements as defined under federal law, including that those personnel have the content knowledge and skills to serve students with disabilities. This policy shall not be construed to create a right of action on behalf of an individual student for the failure of a particular LEA staff person to be highly qualified or to prevent a parent from filing a State complaint with the CDE about staff qualifications.

15. PERFORMANCE GOALS & INDICATORS (20 USC § 1412 (a)(15))

It shall be the policy of this LEA to comply with the requirements of the performance goals and indicators developed by the CDE and provide data as required by the CDE.

16. PARTICIPATION IN ASSESSMENTS (20 USC § 1412 (a)(16))

It shall be the policy of this LEA that all students with disabilities shall participate in state and district-wide assessment programs. The IEP team determines how a

student will access assessments with or without accommodations, or access alternate assessments, consistent with state standards governing such determinations.

17. SUPPLEMENTATION OF STATE/FEDERAL FUNDS (20 USC § 1412 (a)(17))

It shall be the policy of this LEA to provide assurances that funds received from Part B of the IDEA will be expended in accordance with the applicable provisions of the IDEA; will be used to supplement and not to supplant state, local and other federal funds.

18. MAINTENANCE OF EFFORT (20 USC § 1412 (a)(18))

It shall be the policy of this LEA that federal funds will not be used to reduce the level of local funds and/or combined level of local and state funds expended for the education of students with disabilities except as provided in Federal law and regulations.

19. PUBLIC PARTICIPATION (20 USC § 1412 (a)(19))

It shall be the policy of this LEA that public hearings, adequate notice of the hearings, and an opportunity for comment available to the general public, including individuals with disabilities and parents of students 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 USC § 1412 (a)(20))

(Federal requirement for State Education Agency only)

21. STATE ADVISORY PANEL (20 USC § 1412 (a)(21))

(Federal requirement for State Education Agency only)

22. SUSPENSION/EXPULSION (20 USC § 1412 (a)(22))

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

23. ACCESS TO INSTRUCTIONAL MATERIALS (20 USC § 1412 (a)(23))

It shall be the policy of this LEA to provide instructional materials to students with visual impairments or blindness 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 USC § 1412 (a)(24))

It shall be the policy of this LEA to prevent the inappropriate disproportionate representation by race and ethnicity of students with disabilities.

25. PROHIBITION ON MANDATORY MEDICINE (20 USC § 1412 (a)(25))

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

26. DISTRIBUTION OF FUNDS (20 USC § 1411(e),(f)(B))

(Federal requirement for State Education Agency only)

27. DATA (20 USC § 1418 ad)

It shall be the policy of this LEA to provide data or information to the California Department of Education that may be required by regulations.

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

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

29. CHARTER SCHOOLS (E.C. 56207.5 (a))

It shall be the policy of this LEA that a request by a charter school to participate as a local educational agency in a special education local plan area may not be treated differently from a similar request made by a school district.

Governance and Administrative Structure – *Governance Board Policy 1*

The local education agencies (LEAs) within Tehama County and the Tehama County Department of Education join together pursuant to Education Code Section 56195.1 (c) to adopt a plan in accordance with Education Code Section 56205 to assure equal access to special education and services for all eligible persons with disabilities residing in the geographic area served by these agencies, hereafter known as the Tehama County Special Education Local Plan Area (Tehama County SELPA). The Tehama County Department of Education is designated as the Administrative Unit (AU) for the SELPA. In adopting the Local Plan, each participating agency agrees to carry out the duties and responsibilities assigned to it within the plan. Participating agencies may enter into additional contractual arrangements to meet the requirements of applicable federal and state laws.

Each district governing board and the Tehama County Department of Education shall have authority over the programs it directly maintains consistent with the local plan. Regional programs operated on behalf of the SELPA are subject to oversight by the SELPA Governing Board according to SELPA policies and procedures. Each agency shall provide special education and services to all eligible students within its boundaries, including students attending charter schools where a LEA of the SELPA has granted that charter. Charter schools with LEA status in the SELPA are responsible for special education services according to the provisions of the SELPA's Charter School policy. In addition, each agency shall cooperate to the maximum extent possible with other agencies to serve individuals with disabilities who cannot be served in the LEA of residence program. Such cooperation ensures that a range of program options is available throughout Tehama County. The county office or district governing boards may enter into agreements to provide service to pupils in special education programs maintained by other districts or counties and may include within their special education programs pupils residing in other districts or counties.

Governance Council – *Governance Board Policy 1a*

The Governance Council is the governing body for the Tehama County SELPA. The Governance Council is comprised of the superintendents from each participating LEA and the TCDE. Superintendents are responsible to each of their respective governing boards. The Superintendent of the Administrative Unit or designee serves as the chairperson for the Governance Council. The SELPA Administrator is an ex-officio member. The SELPA Governance Council is charged with the responsibility of adopting appropriate policies regarding the implementation of

the Local Plan for Special Education. Each LEA superintendent by participation in the Governance Council is charged with overseeing the operations of the Local Plan and implementing the policies adopted. Information is transmitted to the SELPA Executive Council for implementation of the directives and policies and for the development of procedures. The SELPA Administrator provides a coordinating function and serves as staff to each of the groups. Thus, a smooth and efficient operation of the administrative structure is achieved to assure a successful implementation of the Local Plan for Special Education in accordance with the policies adopted by the SELPA Governance Council.

All council members have one vote and decisions will be made by a two thirds majority vote except in circumstances where state or federal mandates require a unanimous vote. Designees may attend meetings on behalf of a superintendent but may not be voting members. A quorum shall consist of 10 members. A two thirds majority vote, in this instance, must include at least 5 districts that are program operators and 1 district that is not a program operator.

The Governance Council meets a minimum of two times per school year. All meetings of the council shall be held according to Brown Act requirements. The notice and minutes of all regular meetings shall be sent to all district superintendents, the president of the Community Advisory Committee, and others as requested. The SELPA Administrator prepares agendas and disseminates minutes from Governance Council meetings.

The responsibilities of the Governance council include but are not limited to the following:

- a. to appoint representatives to the Executive Committee,
- b. to review and take action to approve or deny amendments to the local plan,
- c. to make changes in the allocation model and expenditure agreements as necessary,
- d. to approve or deny requests for program transfers and
- e. to address any other items determined necessary by the Executive Committee.

Executive Committee – *Governance Board Policy 1b*

The Executive Committee is comprised of the following:

- the superintendent of the administrative unit (TCDE)
- the superintendent from each LEA that is designated a program operator
- the superintendent from three LEAs that do not operate special education programs

The Executive Committee shall appoint members to serve as chair and vice-chair. Members shall be appointed for two years and may be re-appointed for additional

Tehama County Special Education Local Plan Area Governance Board Policies

terms. Appointments shall take effect on July 1. The SELPA Administrator is an ex-officio member.

Each representative shall have one vote and decisions will be made by majority vote except in circumstances where state or federal mandates require a unanimous vote. A majority vote must include at least one vote from an LEA that does not operate special education programs. A quorum shall consist of 7 members present. A majority vote, in these cases, must include at least one district that is not a program operator. Designees may attend meetings on behalf of a superintendent but may not be voting members.

The Executive Committee shall meet not less than 4 times per school year, but may meet more often as needed. Additional meetings may be called at the request of any representative on the committee. All meetings of the committee shall be held according to Brown Act requirements. The committee chair(s) and the SELPA Administrator shall prepare the agenda for each meeting; the SELPA Administrator shall provide all support materials. The chair, vice-chair, or designee shall conduct the meeting.

The notice and minutes of all regular meetings shall be sent to all district superintendents, the president of the Community Advisory Committee, and others as requested.

Executive Committee responsibilities shall include, but not be limited to:

- a. Recommending action on proposed amendments to the local plan to the Governance Council.
- b. Recommending allocation plans for the distribution of federal, state and local funds allocated for special education programs to the Governance Council.
- c. Taking action to approve or deny annual service and budget plans and revisions to those plans.
- d. Taking action to approve or deny SELPA policies, administrative regulations, procedures, resolutions, and guidelines for the management and implementation of special education programs and services within the SELPA.
- e. Collaborate with the Administrative Unit regarding the recruitment, selection and evaluation of the SELPA Administrator.
- f. Providing direction to the SELPA Administrator for regionalized and program specialist services.

- g. Directing that data be gathered, interpreted, and reported regarding the implementation, administration and operation of the local plan.
 - h. Reviewing data in order to monitor planned and actual accomplishments of special education programs in the districts that comprise the local plan.
 - i. Authorizing ad hoc committees for the purpose of assisting the executive committee to study and explore solutions regarding designated issues
 - j. Analyze, review and make appropriate recommendations regarding fiscal issues that impact the SELPA to the Governance Council
1. Collaboration among members to develop policies and implement the Local Plan to ensure that all students within the SELPA are provided with a continuum of services and free and appropriate public education

Special Focus Other Committees – *Governance Board Policy 1c*

Subject to approval from the governing council or executive committee, the SELPA Administrator may convene. Ad Hoc Committees and appoint members as needed to address current issues. Membership on these committees is designed to fulfill a particular task within a specified time frame. SELPA personnel or selected representatives will serve as chairpersons of committees.

SELPA Administrator – *Governance Board Policy 1d*

The SELPA Administrator for the Tehama County SELPA serves two important functions, administrator of the SELPA and program administrator for the Tehama County Department of Education. Because of the dual nature of this position, all matters related to the hiring, supervision and evaluation of this person shall be performed by the AU in collaboration with the Executive Committee.

The SELPA Administrator assures equal access to all programs and services in the SELPA and provides advice to members of the public, including parents or guardians of individuals with disabilities who are receiving services under the local plan, on the availability of established due process and legal service options and procedures. In cooperation with the California Department of Education, the SELPA Administrator provides information to ensure that all special education pupils receive due process of law. Specific duties include, but are not limited to:

1. Coordinating implementation of all components of the local plan.
2. Preparing and submitting approved annual budget and service plans.
3. Developing, implementing, supervising, and evaluating regionalized services.

Tehama County Special Education Local Plan Area Governance Board Policies

4. Supervising and evaluating SELPA staff.
5. Developing and ensuring implementation of policies, procedures, and local agreements that will ensure that all students are provided with a free and appropriate public education.
6. Developing and maintaining interagency agreements with appropriate public agencies to ensure a full range of special education programs and services.
7. Assisting the executive committee to develop plans for the allocation of state and federal funds for special education
8. Ensuring appropriate use of federal, state, and local funds allocated for special education.
9. Preparing program and fiscal reports required by the LEAs, SELPA, and California Department of Education.
10. Developing and implementing a plan for personnel development, including training of staff and parents.
11. Providing technical assistance and consultation to LEAs in all areas of special education, including complaint and due process procedures.
12. Adopting and implementing a management information system.
13. Establishing and maintaining a positive relationship with all members of the SELPA.
14. Informing the superintendents of the status of the special education programs.
15. Providing programs and services approved by the Governance Council
16. Assisting LEA's to access services not available within the district
17. Monitoring non-public school and agency contracts and placements
18. Serving as an ex-officio member of the Governance Council and the Executive Committee, and serving as staff to both.

As program administrator for the Tehama County Department of Education, the SELPA Administrator is responsible for the operation of special education programs and services provided by the Tehama County Department of Education. Specific duties include but are not limited to the following:

1. Assists in the recruitment and selection of personnel.
2. Develops and maintains budgets to support special education programs and services
3. Develops and monitors staff assignments and schedules
4. Coordinates the supervision and evaluation of certificated and classified staff
5. Attends IEP meetings as necessary
6. Coordinates, schedules, and oversees periodic meetings with staff for the purpose of program improvement, communication, and staff development.
7. Completes staff evaluations, as necessary, and makes recommendations to the director of personnel regarding probationary employees.
8. Supervises the operation of the special education office
9. Develops and maintains the budget for the transportation department
10. Coordinates the provision of transportation services and the supervision and evaluation of transportation staff

Regionalized Services and Program Specialists

Assurances – *Governance Board Policy 2*

As a condition of receiving funds for regionalized services and the direct instructional support of program specialists, the SELPA assures that all regionalized operations and services listed below are provided in accordance with the local plan:

1. A coordinated system of identification and assessment.
2. A coordinated system of procedural safeguards.
3. A coordinated system of staff development and parent education.
4. A coordinated system of curriculum development and alignment with the core curriculum.
5. A coordinated system of internal program review, evaluation of the effectiveness of the local plan, and implementation of a local plan accountability mechanism.
6. A coordinated system of data collection and management.
7. Coordination of interagency agreements.
8. Coordination of services to medical facilities.

9. Coordination of services to licensed children's institutions and foster homes.
10. Preparation and transmission of required SELPA reports.
11. Fiscal and logistical support of the CAC.
12. Coordination of career, vocational and transition services.
13. Coordination of transportation services for individuals with disabilities
14. Means by which full educational opportunity is ensured.
15. Fiscal administration and the allocation of state and federal funds.

Program Specialists – Governance Board Policy 2a

Program specialists are employed through the AU and serve the SELPA under the direction of the SELPA Administrator. The SELPA Administrator evaluates program specialists.

Program specialists shall be appropriately credentialed, have advanced training and related experiences in the education of individuals with disabilities and have specialized in-depth knowledge in one or more areas of disabling condition. The role of the program specialist includes but is not limited to the following:

1. Conduct observations, consult with, and assist special and general education staff, administrators, and parents regarding appropriate placement and services for students.
2. Participate in program development, primarily in the area of his or her expertise.
3. Coordinate curricular resources and take leadership in ensuring the use of appropriate instructional methods, strategies, interventions, and resources.
4. Facilitate the development and implementation of staff development and parent education activities.
5. Assist LEAs in completing program reviews, monitoring compliance, and resolving disputes regarding special education programs and services.
6. Assist in assuring that students have full educational opportunities.
7. Provide other services as needed.

Roles and Responsibilities of Participating Entities

Administrative Unit (AU) - Governance Board Policy 3

The TCDE shall serve as the AU for the SELPA and perform the following functions:

1. Receive and distribute special education funds for the operation of special education programs and services, according to the locally approved Special Education Funding Allocation Plan and SELPA Governance Board Policies.
2. Provide administrative support, including establishing and maintaining an office for SELPA staff.
3. Employment of staff as necessary to carry out the implementation of the local plan.
4. Collaborate with the Executive Committee in the recruitment, hiring, supervision and evaluation of the SELPA Administrator.
5. Collaborate with the Executive Committee regarding the recruitment and employment of staff hired in support of SELPA operations.

The Tehama County Department of Education (AU) provides certain special education programs and services as approved by the SELPA Governance Council. The AU is reimbursed by the participating districts for the excess costs related to the provision of services by the TCDE and SELPA Office according to the SELPA approved billback formula.

Local Educational Agency (LEA)- Governance Board Policy 3a

LEA's are responsible for ensuring that students with disabilities are educated in the least restrictive environment. Placement in special education programs or services occurs only when the nature or severity of the disability is such that the child's education, even with the use of modifications of the general education program or use of supplementary aids or programs, cannot be achieved satisfactorily. Students with disabilities are served in their home districts whenever the needs identified on the individualized education program can be met within the home district.

LEAs are allocated special education funds based on their ability to meet all of the following requirements:

- demonstrate fiscal capability,
- demonstrate the ability to comply with student IEPs,
- to provide adequate support of special education staff,

and are subject to local plan policies and agreements. LEA's, authorized by the Governance Council, are allocated funds based on the SELPA funding allocation plan and operate their own special education programs/services.

Tehama County Special Education Local Plan Area Governance Board Policies

LEA's that do not receive special education funding are provided services through the TCDE or by arrangement with another LEA or authorized non-public school.

LEA responsibilities include, but are not limited to:

1. Coordinating and conducting child find activities.
2. Identifying and serving students in medical, foster or LCI facilities.
3. Participating in state/district-wide assessments.
4. Operating special education programs and services according to SELPA guidelines
5. Complying with state and federal laws and regulations regarding special education.
6. Responding to compliance and due process complaints and implementing the decisions of compliance investigations or due process hearings.
7. Utilizing the same management information system, forms, procedures and guidelines as all other districts within Tehama County.
8. Collecting and completing state and federal report requirements; including California Longitudinal Pupil Achievement Data System (CALPADS) reports, self-reviews, and verification reviews.
9. Monitoring the appropriate use of federal, state and local funds.
10. Complying with state and federal requirements regarding maintenance of effort
11. Cooperation with other LEAs to ensure the provision of services to all identified students in the SELPA

LEA Governing Boards- *Governance Board Policy 3b*

The governing board of each participating school district authorizes its district's participation in the Tehama County Local Plan for Special Education through its approval of the local plan.

The local governing board responsibilities include, but are not limited to:

1. Approval of the local plan.
2. Approval for the operation of district special education programs

3. Adoption of policies and procedures for special education programs and services within their districts.
4. LEA compliance with all elements of the local plan.
5. Input on SELPA policies and procedures through the district superintendent's participation on the Governance Council.
6. Appointment of representatives to the CAC.

Tehama County Department of Education Governing Board - *Governance Board Policy 3c*

The governing board for the Tehama County Department of Education is responsible for the appointment of members to the CAC and serves as the appellate body in cases related to the expulsion of special education students. The governing board participates in the development of SELPA policies and procedures through the county superintendent's membership on the SELPA Governance Council.

LEA Superintendents - *Governance Board Policy 3d*

The district superintendents are responsible to their respective Boards of Education. The district superintendents and county superintendent participate on the SELPA Governance Council and assist in the development and approval of policies for the operation of the Special Education Local Plan Area.

Local superintendents are responsible for preparing their district's special education budgets and for the operation of programs and services within their districts, as well as maintenance and operation of the physical plants housing special education programs and services.

Responsibilities of the Local Education Agency (County/District) Superintendent in the implementation of the Local Plan include, but are not limited to the following:

1. Assist in the identification of special education program and service needs for the Tehama County SELPA through participation on the Governance Council.
2. Communicate SELPA information to their governing boards.
3. Collecting information on program operations and reporting to the SELPA Administrator
4. Managing the operation of local special education programs and services
5. Providing assistance in due process and complaint procedures

LEA Special Education Administrators - Governance Board Policy 3e

LEA Special Education Administrators or LEA SELPA Representatives are responsible for the coordination of special education services and programs within their agencies and for the implementation of policies and procedures set forth in the local plan.

Community Advisory Committee (CAC) - Governance Board Policy 3f

The Tehama County SELPA Community Advisory Committee (CAC) serves in an advisory capacity. CAC membership shall be composed of parents/families of individuals with disabilities enrolled in public or private schools, parents/families of other students enrolled in school, students with disabilities, adults with disabilities, general education teachers, special education teachers, other school personnel, representatives of other public and private agencies, and persons concerned with the needs of individuals with disabilities. At least a majority of the CAC shall be composed of parents/families of students enrolled in schools participating in the local plan and at least a majority of such individuals shall be parents/families of individuals with disabilities.

CAC members shall be appointed by and responsible to LEA governing boards. The SELPA Administrator or designee serves as *ex officio* member of the CAC and acts as the liaison between the CAC, the Executive Committee and the Governance Council.

CAC responsibilities include:

1. Advising the policy and administrative entity on the development, amendment, and review of the local plan.
2. Recommending annual priorities to be addressed by the SELPA.
3. Assisting in parent education and in recruiting parents and other volunteers who may contribute to the implementation of the plan.
4. Encouraging community involvement in the development of the local plan.
5. Supporting activities on behalf of individuals with disabilities.
6. Assisting in parent awareness of the importance of regular school attendance.

The CAC shall meet no less than two times per year. Announcements of CAC meetings and activities will be distributed to parents/families of students with

disabilities in the SELPA. In addition, information will be posted on the SELPA web page.

Additional Elements of the Local Plan

Annual Budget Plan – *Governance Board Policy 4*

The SELPA shall adopt an annual budget plan at a public hearing in compliance with all legal mandates. The annual budget plan shall identify expected income and expenditures as required by state and federal laws.

Annual Service Plan - *Governance Board Policy 5*

The SELPA shall adopt an annual service plan at a public hearing in compliance with all legal mandates. The service plan provides an overview of the programs and services available within the SELPA.

Programs for Early Childhood Special Education - *Governance Board Policy 6*

The SELPA provides intensive special education services to infants with low incidence disabilities birth through age two. Through its agreement with the Far Northern Regional Center and Shasta County Office of Education (SCOE), the SELPA coordinates the smooth transition of services for infants who are eligible for services upon turning age three. The Interagency Agreement between the Tehama County SELPA and the Far Northern Regional Center and SCOE is included herein.

The SELPA has established a systematic method of referral for all students aged three to five years of age suspected of being disabled and in need of services. The SELPA provides a full continuum of services for all students aged three to five found eligible pursuant to EC 56441.11.

Services for infants and children three to five years of age with disabilities are updated yearly and described in detail in the SELPA Annual Service Plan included herein.

Oversight of Nonpublic School Placements - *Governance Board Policy 7*

The SELPA Administrator, in collaboration with the appropriate LEA representatives, shall annually review the placement of each student attending a nonpublic, nonsectarian school to determine if all contracted services are being provided and whether the student is making satisfactory progress toward returning to a public school placement.

The review will include an analysis of the evaluations conducted by the nonpublic, nonsectarian school to ensure that they were appropriate and valid for measuring pupil progress. The LEA may choose to administer additional assessments as necessary, with parent consent where required, to determine whether the pupil is making adequate educational progress.

Utilization of General Education Resources - *Governance Board Policy 8*

Each LEA shall ensure that a pupil is referred for special educational instruction and services only after the resources of the general education program have been considered and, where appropriate, utilized. Such resources may include, but not be limited to, response to intervention models/multi systems of support, student success teams, early literacy programs, and remedial programs.

Reading Criteria - *Governance Board Policy 9*

Each LEA shall ensure that all eligible students with disabilities will participate in the California Reading Initiative in order to improve their educational results. Special education instructional personnel will participate in staff development in - service opportunities in the area of literacy that includes:

1. Information about t 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 students with disabilities who are literate.

Access to Core Curriculum - *Governance Board Policy 10*

Each LEA shall ensure that students with disabilities will have access to:

1. All required core curriculum including state adopted core curriculum and supplementary materials.
2. Instructional materials and support.

Low Incidence Funds - *Governance Board Policy 11*

Funds for low incidence equipment, materials, and supplies as well as for low incidence services are restricted to support students in the following disability categories: hard -of-hearing, deaf, visual disability, severely orthopedically impaired, and deaf-blind. The funds are administered through the Tehama County

SELPA and include receipt of funds, expenditure of funds, maintenance of an inventory, development of procedures for exchange of equipment, and reporting to the state.

Request for SELPA Membership by a Charter School - *Governance Board Policy 12*

Charter schools may participate in the local plan either as a school within a participating LEA or as an LEA approved by the SELPA.

A request by a charter school to participate as an LEA in the Tehama County SELPA will not be treated differently from a similar request made by a school district. In reviewing and approving such a request, the following requirements shall apply:

1. The charter school shall participate in state and federal funding for special education and receive funding in the same manner as other LEAs of the SELPA as specified in the SELPA funding allocation plan.
2. The charter school shall participate in the governance of the SELPA in the same manner as other LEAs of the SELPA.

Policies, Procedures, and Local Agreements - *Governance Board Policy 13*

SELPA policies, procedures, and local agreements necessary to support the implementation of the local plan, and as required by legal mandates, have been developed and are available upon request. These documents can be requested through the SELPA office.

Amendments to the Local Plan - Governance Board Policy 14

The SELPA Administrator shall be responsible for the coordination of the development of any proposed amendments to the local plan.

Amendments to the permanent portion of the local plan may be considered at any time. The Governance Council may adopt changes to the local plan on an interim basis, not to exceed one school year. To formally adopt proposed and interim amendments the following procedure shall be followed:

1. A committee comprised of representatives of special and regular education teachers and administrators as well as parent members of the CAC or parents selected by the CAC shall be convened to provide input and make recommendations regarding the proposed or interim amendments to the local plan. (EC 56195.9)

2. The CAC and other advisory groups as determined appropriate by the SELPA Administrator will review the recommended amendments to the local plan, as presented by the committee, and provide additional input and revision, if needed.
3. The Executive Committee will review the recommended amendments, propose any final revisions, and submit the final draft to the Governance Council for approval.
4. The Governance Council will review and approve the final draft amendments of the local plan and submit to the LEA governing boards for approval.
5. LEA governing boards will review and take action on the recommended amendments to the local plan within 60 days of submission from the Governance Council.
6. Amendments require the approval of each LEA governing board.
 - a. Following approval by all LEA governing boards, the SELPA will submit the local plan to the California Department of Special Education for submission to the State Board of Education.

Public Addressing the Governing Body Input - *Governance Board Policy 15*

Members of the public, including parents or guardians of students with disabilities, may address questions or concerns to the governing boards of each LEA, the SELPA Governance Council, the Executive Committee, and/or the CAC. Opportunities for public input will be included on agendas of each committee.

The Tehama County SELPA Administrator and District Special Education Administrators are also available to meet with parents or members of the public who may have questions or concerns. Meetings can be arranged by contacting the SELPA office.

Dispute Resolution - Governance Board Policy 16

In the event of a disagreement among LEAs, LEAs and the Responsible Local Agency (RLA), LEAs and/or the RLA and the SELPA regarding the distribution of funding, responsibility for service provision and any other governance activities specified in the Local Plan, it is the intent of the SELPA Governing Board that issues be resolved at the lowest level possible. The SELPA Governing Board is the board of last resort. This process is intended to resolve disagreements within a period of 45 days, but is not intended to undermine local authority.

If a local education agency disagrees with a decision or practice of another agency or the SELPA, that local education agency has a 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 assistance of the SELPA Administrator, or his/her designee, or the Chairs of the SELPA Governing Board and Executive Committee. If this process fails, the parties may pursue a hearing on the issues and resolution with the SELPA Governing Board.

If either party disagrees with the recommendation of the SELPA Governing Board, and the dispute relates to the distribution of funding, the responsibility for service provision or other governance activities specified within the Local Plan, the party may submit the dispute to mediation. The parties will make a good faith effort to mutually agree to a mediator with expertise related to the dispute. If the parties cannot agree on a mediator, the SELPA Administrator will secure the services of a recognized neutral mediator or from a professional mediation agency.

Any dispute unresolved in mediation, arising from a dispute that relates to the distribution of funding, the responsibility for service provision or other governance activities specified within the Local Plan shall be settled by arbitration. The arbitration decision shall be made by a panel of three, including one person selected by each party and a neutral chair of the panel agreed upon by the other two panel members. The mediator involved in the parties' mediation may serve as the panel chair.

Each party shall bear its own costs and expenses and an equal share of the mediator's and/or arbitrator's and administrative fees of arbitration. The power and jurisdiction of an arbitrator shall be limited to adjudicating the rights and responsibilities of the parties. The arbitrator shall not have the power to determine constitutional issues or issues outside the scope of Education Code section 56205(b) (5).

A more detailed description of the procedures related to dispute resolution can be found in the SELPA Policies and Procedures Manual kept on file in the SELPA.

Tehama County Special Education Local Plan Allocation Plan and Budget Categories: Governance and Administrative Structure – *Governance Board Policy 17*

The local education agencies (LEAs) within Tehama County and the Tehama County Department of Education join together pursuant to Education Code Section 56195.1 (c) to adopt a plan in accordance with Education Code Section 56205 to

Tehama County Special Education Local Plan Area Governance Board Policies

assure equal access to special education and services for all eligible persons with disabilities residing in the geographic area served by these agencies, Tehama County Special Education Local Plan Area (Tehama County SELPA). The SELPA Governance Council adopts an annual budget and service plan at a public hearing, yearly. The SELPA Administrator manages the budget adopted by the Governance Council. Budget reports are provided to the Governance council, quarterly.

SELPA Funding Allocation Plan

Revisions to the Allocation Plan – In May 2015 the SELPA Governing Board agreed to revise the SELPA AB 602 Funding Allocation Plan. The new plan was partially phased in during the 2015 -16 school year and was fully operational by the 2017 - 18 school year. Major components of the new plan include the following: Revenue and expenses will be separated into three major categories, namely TCDE Programs and Services, SELPA Services, and SELPA Priorities.

As there are recent reforms at the state level for funding distribution, the Tehama County SELPA will distribute AB 602 funding per state law. If the law allows for local control over funding distribution, the Tehama County SELPA will distribute the following methodology for AB 602 funds:

- A. SELPA Services and SELPA Extraordinary Costs (formerly known as Priorities) will be funded for 100% of their approved expenses, through the RS/PS and property tax add on funding revenue.
- B. TCDE program services will be funded for 86% of its approved expenditures. TCDE is considered an LEA in our funding allocation and expense model.
- C. State entitlement funds will be allocated to program operators using a two - step calculation as follows:
 1. Allocate 80% of the designated revenue using a single rate per ADA based on the state's distribution methodology of the highest ADA over a three year period: current year, prior year, or prior prior year. This will be utilized at the closing of books in August each year. Updates through the year will use the following metrics: First Interim: P2 Prior Year, Highest of the Three years; Second Interim: P1 Current Year, highest of the three years; Closing Budget: P2 Current Year, highest of the three years.
 2. Allocate 20% of the designated revenue using a single rate per prior year CALPADS Census Date pupil count.
 3. Federal local assistance grant funds will be allocated to District Program Operators using prior year per prior year CALPADS Census Date pupil count rather than a constant percentage.

Tehama County SELPA Definitions – Program Operator & Direct Services District/LEA for Funding Allocation and Expense Model Purposes:

Tehama County Special Education Local Plan Area Governance Board Policies

Local School Districts : Local school districts that can demonstrate financial capability may become program operators pursuant to the Local Plan.

Program Operator Districts are allocated special education funds according to the SELPA special education allocation formula. Program Operators, *at a minimum*, are responsible for providing the following services to all identified students within its attendance area:

- Psychological services
- Speech and language therapy
- Specialized academic instruction for up to and including the full school day for students with mild -moderate disabilities

The following school districts are **currently** designated as program operators

- Antelope Elementary School District
- Corning Union Elementary School District
- Corning Union High School District
- Evergreen Union School District
- Los Molinos Unified School District
- Red Bluff Joint Union High School District
- Red Bluff Union Elementary School District

Direct Service Districts/LEAs: Direct service districts/LEAs are provided special education services primarily by the TCDE. Direct service districts are entitled to place students in programs operated by any other district within the SELPA.

The following districts are currently considered direct service LEAs

- Fournoy Elementary School District
- Gerber Elementary School District
- Kirkwood Elementary School District
- Lassen View Elementary School District
- Reeds Creek Elementary School District
- Richfield Elementary School District
- Lincoln Street School (LEA charter authorized by the Tehama County Department of Education)
- Tehama eLearning Academy (LEA charter authorized by the Tehama County Department of Education)

If any direct service providers could meet the requirements of this agreement and obtain approval from the Tehama County SELPA Governance Council they would be taken off this list and moved to program operator

Revenue Allocation

Due to the size and scope of services each member LEA provides, the SELPA may adjust the type of federal, state, and local allocations, if needed. This would not

change the amount each LEA is allocated, rather what resource it is allocated from, depending on the needs of each member LEA.

State Entitlement – This is the primary state funding source for special education. PS/RS funds are used for the operation of the SELPA. Low Incidence funds and Out of Home Care funds are allocated to the SELPA. State entitlement is allocated to the following LEAs: TCDE and district program operators (Antelope Elementary, Corning Union Elementary, Corning Union High School, Evergreen Union, Los Molinos Unified, Red Bluff Joint Union High School, Red Bluff Union Elementary. The method for distributing these funds is described below in the Allocation Plan.

Project Workability Funds – These funds are allocated directly to Corning and Red Bluff High

Federal Local Assistance Grant – The federal local assistance grant is used to fund TCDE programs and district program operators. These funds are allocated to resource code 3310. The method for distributing these funds is included in the Allocation Plan.

Low Incidence Funds - This grant is managed by the SELPA Administrator and used solely for providing eligible low incidence services, equipment, and materials. This grant is calculated based on the prior year Census pupil count of students with disabilities in their primary or secondary disability of Hard of Hearing; Deafness; Visual Impairment; Orthopedic Impairment; Deaf - Blindness. To receive funds for equipment or materials, Low Incidence Staff or Administrators must complete verification of the need and area of disability.

Preschool Grants – The federal preschool grants are managed by the SELPA Administrator and used solely for supporting the TCDE operated regionalized special education preschool programs.

Preschool Staff Development – This grant is managed by the SELPA Administrator to provide staff development for preschool staff.

Infant - The federal grant for infant programs is managed by the SELPA and is used solely to provide services for infants. Currently these services are provided through a contract with the Shasta County Office of Education Infant program.

Local Property Taxes – Local property taxes are allocated to the SELPA, SELPA Priorities and TCDE based on the Funding Allocation Plan.

One Time Funding Special Education Resources - Periodically, the state budget includes one-time funds for special education purposes. As one-time funding is not predictable, it is the intention of the SELPA Governing Board that new one-time funding sources in an amount less than \$250,000 remain at the SELPA for use aligned with the intended purpose at the discretion of the SELPA Assistant Superintendent, due to the size and scope each member LEA provides and will be utilized in a consortium regional model. To make determinations about appropriate use of funds, the SELPA Assistant Superintendent may consult with LEA Superintendents and staff, Educational

and Community Partners, Fiscal Staff, and/or partners from the Statewide System of Support. All determinations shall be communicated to the SELPA Governing Board at the next regularly scheduled meeting.

In the event one-time funds made available via the SELPA exceed \$250,000, the SELPA Assistant Superintendent will convene a temporary workgroup to determine the appropriate purpose, use, and allocation to SELPA members or the SELPA administrative unit. Final disbursement information shall be communicated to the SELPA Governing Board at the next regularly scheduled meeting.

Permanent State Entitlement Funding Calculation: The calculation is as follows:

- First priority – The SELPA, will be funded for 100% of its expenses. PS/RS funds will be allocated to the SELPA first and the difference will come from local property taxes.
- Second priority – SELPA priorities, will be replenished annually to a maximum of \$250,000. Funding will come entirely from property taxes.
- Third priority – The Tehama County Department of Education will be reimbursed for 86% of its total expenses. Total expenses can be found on the Billback Calculation Summary worksheet provided to the Governance Council quarterly. The TCDE will be funded with a combination of property tax revenue, federal local assistance grant funds and a portion of total state entitlement. Funds will be allocated in the following manner:

- Any property tax revenue left after funding the first and second priorities, will be allocated to TCDE.
- \$721,016 from the federal local assistance grant will be allocated to the TCDE.

***Note:** Because the federal local assistance grant has not increased substantially for a number of years, this amount has been automatically allocated to the TCDE each year. This allocation translates to about 41.5% of the total grant amount. If at any time in the future the grant increases substantially (amount to be determined by the SELPA Governing Board) the allocation to TCDE will be recalculated using the 41.5% percent figure.*

- *The balance of any remaining unfunded expenses will be allocated from ‘total state entitlement’*
- Fourth priority – the remaining state entitlement funds and local assistance grant funds will be allocated to program operators according to the following formulas:

Tehama County Special Education Local Plan Area Governance Board Policies

- 80% of remaining state entitlement will be allocated by prior year P2 ADA. The other 20% will be allocated by prior year CALPADS Census Dates pupil count.
- 100% of local assistance grant funds will be allocated by prior year CALPADS Census Dates pupil count.

SELPA Priorities Fund

In addition to the SELPA AU and LEAs that operate programs, the SELPA allocates a portion of the State Entitlement income for SELPA Extraordinary Costs Fund— a SELPA savings account. This money is allocated by the SELPA Governance Council. The SELPA Priority funds will be used in the following manner:

- Maintain a \$250,000 reserve to be used as outlined by SELPA Agreement 6
- Property tax funds will be transferred to replenish the fund to \$250,000 at the beginning of each school year.

Management Fee

Rather than being assessed an indirect fee for county office services, the SELPA pays a management fee to the Administrative Unit (AU), Tehama County Department of Education (TCDE) - County Office of Education (COE). The management fee is capped at \$400,000, to be reviewed during each local plan and allocation plan revision

District to District Excess Cost Determinations

School districts that provide special education services to students from outside their attendance boundaries at the request of the District of Special Education Accountability (DSEA) may charge the DSEA the excess cost associated with providing services for individual students. LEAs that arrange for services from another LEA are responsible for its pro-rata share of the excess costs as associated with that service. LEAs that receive special education funding from the SELPA, over and above their normal State Entitlement allocation, in order to provide regional services, may not charge another district for excess costs unless so stipulated in the agreement to provide such regional services. The Excess Cost amount is determined by the Fiscal Oversight Committee on a yearly basis.

Excess costs do not apply to students who enroll in school districts other than their District of Special Education Accountability through the inter-district transfer process.

LEAs that receive services from the TCDE are responsible for the excess costs associated with those services. The formula for determining these costs is determined by the SELPA Governing body and contained in the SELPA Billback Calculation formula.

Federal Revenue Sources

In addition to State Entitlement revenues, the SELPA budget also receives the following other income sources:

- **Federal Local Assistance Grant** – The federal local assistance grant is allocated to the SELPA to provide a Free and Appropriate Public Education (FAPE) to identified public school students ages 3 to 22 and other services to identified students attending private schools. The former Preschool of Local Entitlement Grant (3320) is now included in the total Federal Local Assistance Grant (3310). The SELPA continues to calculate what this revenue source would have generated under the former model to apply directly to regional preschool programs and services. Each year the SELPA office calculates the percentage of the increase to the federal Local Assistance grants and applies that percentage to the former year to calculate what this resource would have generated in the former model, to be allocated to preschool related services.
- **Federal Preschool Grant**
- **Federal Pre-school Staff Development**
- **Federal Part C Grant**- The SELPA receives a grant for infant services, which is transferred to the Shasta County Office of Education for providing infant services to children in Tehama County.
Note: Shasta County Office of Education also receives state funding based on their infant pupil count, including Tehama County infants, which directly flows to the Shasta County Office of Education.
- **Alternative Dispute Resolution** - The SELPA has the option of receiving a yearly grant for training and provision of Alternative Dispute Resolution and Prevention. The SELPA retains this grant to apply to the continuum of dispute prevention and resolution for all member LEAs, families, and educational partners.

Transfer of Federal and State Educationally Related Mental Health Services Funds from Member LEAs to SELPA via the Administrative Unit

Under previous law, state (SACS resource code 6546) and federal (SACS resource code 3327) funds for educationally -related mental health services ("ERMHS") for students eligible for special education and related services are distributed to the Tehama County SELPA on behalf of all member LEAs. The funds are received by the Tehama County Department of Education, the Administrative Unit (AU) on behalf of the SELPA. The local SELPA Governance board, per the local plan, voted to create a consortia regional SELPA wide Educationally Related Mental Health Services Program. All state and federal mental health funds are distributed accordance with the SELPA Local Plan ("Local Plan") and SELPA Allocation Plan ("Allocation Plan"); and Whereas The Governor's 2022-2023 State Budget included a shift in distribution of these funds that, effective for the 2023 -2024 school year,

all state and federal ERMHS funding shift from the SELPA and, instead, be distributed directly to each Member LEA. The member LEAs of the Tehama County SELPA have a history of collaborative local decision-making that, under their locally determined allocation structure, has ensured that the full continuum of services, including ERMHS, is available to all students served by the SELPA. Member LEAs recognize this shift in funding distribution will offer little benefit while making significant and unnecessary changes to the manner in which ERMHS services are provided; and changes from the shift in funding distribution are likely to result in program, funding, and staffing challenges that will impact the quality of services and thereby affect students, families, and staff across the SELPA. These changes and the resulting challenges and impacts will be particularly difficult on the students, families, and staff to all member LEAs. To avoid the unnecessary changes and resulting consequences of shift of distribution of funds directly to LEAs, Tehama County SELPA Member LEAs desire to maintain the SELPA's previous structure for distributing state and federal ERMHS funds through the SELPA consortia model.

Starting in the budget year 2023, the state has approved and plans to distribute federal and state ERMHS funding directly to LEAs. Tehama County Member LEAs agree that the allocation for state principal apportionment for ERMHS (6512), and any federal ERMHS (3327) funds distributed to them will be immediately county transferred to the Tehama County Department of Education as the Administrative Unit ("AU") for the SELPA. This county transfer will be initiated by the Tehama County Department of Education's Business Services Department to fund the already established regional ERMHS program the SELPA Governing board has developed. Regardless of the distribution method determined by the state, the Tehama SELPA will continue to fund the regional ERMHS and programs at the SELPA consortia level. If any changes in ERMHS are required these changes will be determined by the SELPA Governing Board based on local needs. The SELPA agrees that any changes to ERMHS or any regionalized services will be addressed using the procedures set forth in the SELPA's Program Transfer Policy and in accordance with Education Code section 56207. If the amount of the expenses incurred by the ERMHS program exceeds both state, federal, and roll over funding, the expenses will be attributed within the SELPA expense "billback" model. The fund balance of the previous state restricted resource (SACS code 6512) remains at the SELPA to fund services that are not in excess of the state and federal funds as well as any extraordinary costs such as Residential Treatment Center placements.

Tehama County SELPA and Tehama County Department of Education (AU) fiscal staff will assist all member LEAs in completing required federal fiscal monitoring forms.

Local Property Tax Revenue

Tehama County Special Education Local Plan Area Governance Board Policies

In addition to State Entitlement and Federal grant funding, The SELPA is allocated revenue from local property taxes for the purpose of providing special education programs and services. An estimate regarding property tax revenues is included in the Special Education Funding Exhibit. A more accurate figure is available from the TCDE business department.

General Fund Contribution

It is important to remember that special education is severely underfunded and even with local, state and federal funding, this never covers the expenditures of special education services. Expenditures above and beyond the funds described above are provided by district general funds, which is currently over 60% of the expenditures.

Budget Development, Approval and Review

Budget Categories

The SELPA Administrator manages 19 separate budgets, including:

Memorandums of Understanding and Fee for Service

- Tehama County Department of Education Regional Special Education TCDE Programs and Services
- Federal Local Assistance grant (TCDE programs and services)
- Tehama County SELPA Office
- Low Incidence materials, equipment, and services.

Memorandums of Understanding (MOU) and Fee for Service: MOU's - the SELPA provides services, including school nursing and school psychologist services, to LEAs, TCDE special education programs and other County Office programs based on a Memorandum of Understanding (MOU). For LEA's that neither employ nor contract with the county for their own school psychologist services, the SELPA provides psychological services to LEAs on an as needed basis via a Fee for Service model.

Details regarding costs, usage and billing are included in the *MOU/FFS budget document*.

- Direct Service District Instructional Aide: This fund provides support to direct service LEAs to receive funding for instructional aide support. A baseline rate was established and an effective COLA is applied each year. The total amount allocated to this fund is then multiplied by the amount of Educational Specialist FTEs needed to service direct service districts. That amount is then divided by the total number of direct service LEAs.
- Federal and State Mental Health Services
- Alternative Dispute Prevention and Resolution Services, including expenses associated with the Community Advisory Council (CAC).
- Preschool Services
- Preschool staff development
- Infant Services
- Medi-Cal

The SELPA generates Medi-Cal income for a variety of services. Medi-Cal monies are restricted and can only be used to enhance or increase health related services to students. A collaborative of the providers must be used to determine Medi-Cal spending. Other expenses include a percentage of secretarial services and processing fees for the Medi-Cal vendor.

- MAA
- Lottery Funds
- Allocation to provide services to identified school age students enrolled in private schools
- SELPA Extraordinary Costs: The SELPA Extraordinary Costs Fund was created prior to AB 602 through the Goldfinger maximization process. The SELPA hired a financial consultant each year who revised each district's J-50 report to maximize the amount of funding. The SELPA used the resulting increase in funding to create a reserve then called the SELPA Priorities Fund. It was agreed in the allocation plan to continue the maximization fund (now referred to as "Extraordinary Costs") as an ongoing separate allocation. Per SELPA Agreement 6, SELPA Extraordinary Costs Funds the purpose of the funds is as follows:
 1. First Priority is to cover legal costs up to 75% of the cost per incident for all districts/LEAs.
 2. Second Priority is to provide funds unused in a given fiscal year to be available to address extraordinary costs incurred by a direct services district/LEAs (non program operators) due to special education and/or the need to initiate the provision of special education services.
 3. Funds may also be used to address needs identified and approved by the SELPA Governance Council.
- Out of Home Care Funding – Approved Non-public School Procedures governing the use of these funds can be found in SELPA Agreement SA 7 LCI Funding) The money is allocated to the SELPA AU. Per SELPA Agreement 7, The Out of Home Care funds will be used in the following manner:
 1. First priority is to pay for 100% of the cost of placing LCI eligible students in non-public schools or agencies or specialized public settings outside of the DSEA
 2. Second Priority is to fund the excess cost of any unassigned Individual Behavior Intervention (IBI) serving regional programs with students who are LCI eligible.
 3. Third priority is to provide funds that would build capacity within our LEAs to create and sustain a multi-tiered system of supports for social emotional and behavioral needs

Approval

Tehama County Special Education Local Plan Area Governance Board Policies

In the spring of each year, a fiscal report for the upcoming school year is presented to the governing board for initial budget adoption approval. This report includes the following:

- Billback Calculation – a summary of income and expenses for each major program category
 - Billback Summary – The projected billback by program category for each LEA
 - Income Distribution – Allocation of State Entitlement, Federal Local Assistance Grant and Local Property tax revenues
 - Non-public School Expenses – Billback by LEA
 - Individual Behavior Interventionists – Billback by LEA
 - Memorandums of Understanding and Fee for Services – Billback by LEA
- Prior to presenting budgets to the governing board they are reviewed by the county office CBO. The SELPA Administrator and Budget Analyst also present information to LEA CBOs throughout the year and prior to bringing to SELPA Governance.

Based on the information contained in these documents the governing board takes action to approve/deny the SELPA budget.

Transportation

1. Revenue Determination

The TCDE receives a static amount of funding from the CDE for the provision of special education transportation services.

2. Revenue Distribution

100% of the state apportionment to the County Office for transportation is allocated

3. Expenses

a. Maintenance

The cost of parts and a pro-rata share of the mechanic's salary and benefits is shared between the two budgets. Parts are charged to the budget throughout the year. The mechanic's salary is charged at the close of the budget.

b. Indirect

The transportation department pays the county an indirect charge

c. Billback

The billback to districts is shared between the two budgets