

**FOLSOM CORDOVA UNIFIED SCHOOL DISTRICT  
SPECIAL EDUCATION LOCAL PLAN AREA  
LOCAL EDUCATION AGENCY (LEA) ASSURANCES**

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

It shall be the policy of the Folsom Cordova Unified SELPA Local Education Agency (LEA) that a free appropriate public education is available to all children residing in the SELPA between the ages of three through 21 inclusive, including students with disabilities who have been suspended or expelled from school. Appropriate education is the combination of educational and related service(s) as determined on an individual basis that meets the unique needs of each individual in order to benefit from their access to educational opportunities.

**2. FULL EDUCATIONAL OPPORTUNITY (20 USC § 1412 (a)(2))**

It shall be the policy of the Folsom Cordova Unified SELPA Local Education Agency (LEA) that all pupils with disabilities including those with low incidence disabilities have access to educational programs, nonacademic programs, and services available to non-disabled pupils including extra curricular services and activities that afford children with disabilities an educational opportunity to participate.

**3. CHILD FIND AND REFERRAL (20 USC § 1412 (a)(3))**

It shall be the policy of the Folsom Cordova Unified SELPA Local Education Agency (LEA) that all children with disabilities residing in the State, including children with disabilities who are homeless or are wards of the State and children attending private schools, regardless of the severity of their disabilities, and who are in need of special education and related services are identified, located and evaluated. A practical method is developed and implemented to determine which students with disabilities are currently receiving needed special education and related services.

**4. INDIVIDUALIZED EDUCATION PROGRAM (IEP) AND INDIVIDUALIZED FAMILY SERVICE PLAN (IFSP) (20 USC § 1412 (a)(4))**

It shall be the policy of the Folsom Cordova Unified SELPA Local Education Agency (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 the Folsom Cordova Unified SELPA Local Education Agency (LEA) that a review will be conducted on at least an annual basis to review the pupil's progress. This review shall include, but is not limited to, the achievement of annual goals, the appropriateness of placement, and/or to make any necessary revisions.

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

It shall be the policy of the Folsom Cordova Unified SELPA Local Education Agency (LEA) that to the maximum extent appropriate, individuals with exceptional needs, including children in public or private institutions or other care facilities, are educated with children who are non-disabled. Special classes, separate schooling, or other removal of an individual with exceptional

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needs from the general educational environment, occurs only if the nature or severity of the disability of the student is such that education in general classes with the use of supplementary aids and services cannot be achieved satisfactorily.

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

It shall be the policy of the Folsom Cordova Unified SELPA Local Education Agency (LEA) that children with disabilities and their parents/guardians 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))**

The LEA shall conduct a reassessment of each child with a disability at least once every three years, or more frequently, if conditions warrant a reassessment or if the pupil's parents/guardians or teacher requests a reassessment and new Individualized Education Plan (IEP) to be developed.

The LEA shall ensure that children are assessed in their native language or other mode of communication; tests are used for their validated purposes; children are evaluated in all areas related to their suspected disability; testing is conducted by a multidisciplinary team; testing materials and procedures are not racially or culturally biased; test are administered by trained personnel qualified in accordance with all federal regulations and state standards; and that test are administered in conformance with the instructions provided by the producer.

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

It shall be the policy of the Folsom Cordova Unified SELPA Local Education Agency (LEA) that the confidentiality of personally identifiable data, information, and records maintained by the LEA relating to children with disabilities and their parents and families shall be protected pursuant to the Family Educational Rights and Privacy Act (FERPA).

**9. PART C, TRANSITION (20 USC § 1412 (a)(9))**

It shall be the policy of the Folsom Cordova Unified SELPA Local Education Agency (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 the Folsom Cordova Unified SELPA Local Education Agency (LEA) to assure that children with disabilities voluntarily enrolled by their parents in private schools shall receive appropriate special education and related services pursuant to LEA coordinated procedures. The proportionate amount of federal funds will be allocated for the purpose of providing special education services to children with exceptional needs voluntarily enrolled in private school by their parents.

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

It shall be the policy of the Folsom Cordova Unified SELPA Local Education Agency (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 the Folsom Cordova Unified SELPA Local Education Agency (LEA) that interagency agreements or other mechanisms for interagency coordination are in effect to ensure services required for Free and Appropriate Public Education (FAPE) are provided, including the continuation of services during an interagency dispute resolution process. (Interagency Agreements attached)

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

It shall be the policy of the Folsom Cordova Unified SELPA Local Education Agency (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.

Folsom Cordova Unified SELPA shall provide an educational program appropriate to meet the needs of each eligible child with a disability who resides within the Local Plan Area. Further, its function is to provide equal access and services to children with disabilities from birth to age twenty-two.

All such programs are to be operated in a cost effective manner consistent with the funding provisions of the Education Code Section 56700 et seq, IDEA, other applicable laws and policies, and procedures of the Special Education Local Plan Area.

The Folsom Cordova Unified School District SELPA Community Advisory Committee serves the SELPA in an advisory capacity in accordance with Education Code 56190-56194 and procedures specified in the Folsom Cordova Unified School District SELPA Community Advisory Committee Bylaws.

*56195. Each special education local plan area, as defined in subdivision 9d of Section 56195.1, shall administer local plans submitted pursuant to Chapter 3 (commencing with Section 56200) and shall administer the allocation of funds pursuant to Chapter 7.2 (commencing with Section 56836).*

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*56195.1 The governing board of a district shall elect to do one of the following:*

*(a) If of sufficient size and scope, under standards adopted by the board, submit to the superintendent a local plan for the education of all individuals with exceptional needs residing in the district in accordance with Chapter 3 (commencing with Section 56200).*

*(12)(A) A description of the governance and administration of the plan, including identification of the governing body of a multi-district plan or the individual responsible for administration in a single district plan, and of the elected officials to whom the governing body or individual is responsible.*

**GOVERNING BODY**

The governing body Folsom Cordova Unified School District (FCUSD) is the School Board of FCUSD.

**RESPONSIBILITIES OF LOCAL FCUSD BOARD MEMBERS**

**The Folsom Cordova Unified SELPA Board of Education shall:**

1. Exercise authority over, assume responsibility for, and be fiscally accountable for special education programs operated by the SELPA
2. By approving the Local Plan, enter into an agreement with other agencies participating in the plan, for purpose of delivery of services and programs.
3. Review and approve revisions of the FCUSD SELPA Local Plan for Special Education.
4. Participate in the governance of the FCUSD SELPA through it designated representative, the FCUSD SELPA Administrator. The FCUSD SELPA Administrator has the authority to act as the board designee to approve and amend policies as necessary.

**GOVERNANCE, STRUCTURE AND ADMINISTRATIVE SUPPORT**

FCUSD, pursuant to Section 56195 of the California Education Code has the responsibility to adopt a plan in accordance with California Education Code 56200 to assure access to special education and services for all eligible individuals with disabilities residing in the geographic area served at FCUSD Special Education Local Plan Area (FCUSD SELPA).

**RESPONSIBILITY OF PARTICIPATING AGENCIES**

Participating agencies may enter into additional contractual arrangements with FCUSD to meet the requirements of applicable federal and state law. In adopting the Local Plan, each participating agency agrees to carry out the duties and responsibilities assigned to it within the plan. Each agency shall provide special education and services to all eligible students, including students attending charter school where FCUSD SELPA had granted that charter. In addition, each agency shall cooperate to the maximum extent possible with other agencies to serve individuals with disabilities who cannot be served in FCUSD throughout the FCUSD Special Education Local Plan Area.

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**IMPLEMENTATION OF ADMINISTRATIVE FUNCTIONS**

FCUSD is designated as the Administrative Unit (AU) for the FCUSD SELPA. It shall be responsible for functions such as, but not limited to:

1. Receipt and distribution of special education funds to district accounts for the operation of special education programs and services.
2. Receipt and distribution of special education funds to accounts exclusively designated for SELPA use.
3. The employment of staff to support SELPA functions.

**RESPONSIBILITIES OF SELPA**

The FCUSD Special Education Department, under the direction of SELPA Administrator, is designated as the entity responsible for the administration of the Local Plan and assuring that the SELPA is in compliance with all applicable laws and regulations.

The SELPA Administrator shall serve on behalf of the LEA and implement the Local Plan including the following services and operations:

1. Coordination of the SELPA and the administration of the Local Plan
2. Coordinated system of identification and assessment
3. Coordinated system of procedural safeguards
4. Coordinated system of staff development and parent education
5. Coordinated system of curriculum development and alignment with the core curriculum
6. Coordinated system of internal program review, evaluation of the effectiveness of the local plan and implementation of a local plan accountability mechanism.
7. Coordinated system of data collection and management
8. Coordination of interagency agreements
9. Coordination of services to medical facilities
10. Coordination of services to licensed children's facilities and foster family homes
11. Preparation and transmission of required SELPA reports
12. Fiscal and logistical support of the Community Advisory Committee
13. Coordination of transportation services for students with disabilities
14. Coordination of career and vocational and transition services
15. Assurances of full educational opportunity
16. Fiscal administration and the allocation of state and federal funds
17. Direct program and instructional support provided by Director, Program Coordinators, and Program Specialists

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The duties of the FCUSD Special Education Department, under the direction of the SELPA Administrator include, but are not limited to, the following:

1. Provide information and recommendations for the development, modification and implementation of the Local Plan
2. Develop and implement procedures for the identification, referral, assessment, IEP development and placement of individuals with disabilities as established by the Local Plan
3. Develop forms, procedures and recommendations for programs and services for review, modification and approval by the FCUSD Superintendent or designee and School Board
4. Develop an Annual Budget Plan for SELPA operations, including modification and approval by the FCUSD Superintendent or designee and School Board
5. Develop in-service/staff development programs, including parent education activities, for review, modification and approval by FCUSD Superintendent or designee and School Board
6. Provide recommendations for membership for the Community Advisory Committee
7. Develop the Annual Service Plan for approval by the FCUSD Superintendent or designee and School Board.

**COMMUNITY ADVISORY COMMITTEE**

Parents comprise a majority of the membership of the Community Advisory Committee (CAC) and of these; the majority must be parents of children with disabilities, Special education teachers, general education teachers and school personnel, students with disabilities, representatives of related public and private agencies and other persons concerned with the needs of children with disabilities may also be represented.

**RESPONSIBILITIES OF THE COMMUNITY ADVISORY COMMITTEE**

1. The objective and purpose of the CAC shall be to assist the Folsom Cordova Unified School District to bring about the cooperation and coordination of the community resources which may be of value in the operation of the local plan for special education. In achieving this purpose, the CAC shall have such authority and fulfill such responsibilities as are defined for it in the local plan and appropriate legislation.
2. Responsibilities shall include, but not be limited to, all of the following:
  - a. Advising the administration of the FCUSD regarding the development, amendment, review, and implementation of the local plan; the FCUSD shall review and consider comments from the CAC.
  - b. Reviewing of the special education programs under the local plan.
  - c. Making recommendations on annual priorities to be addressed under the plan.
  - d. Assisting in parent education and in recruiting parents and other volunteers who may contribute to the implementation of the plan.
  - e. Encouraging community involvement in the development and review of the local plan.
  - f. Supporting activities on behalf of individuals with disabilities.
  - g. Facilitating communication between school, parents, and community.

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- h. Assisting in the collection and dissemination of information to parents of special education students served by the SELPA and related agency and community representatives.
- i. Informing and advising District staff regarding community conditions, aspirations, and goals for individuals with disabilities.
- j. Participating in the design of staff development programs provided by the school district as they pertain to individuals with exceptional needs.
- k. Participating in the design of ongoing awareness and training for CAC members, parents, school district staff and community members on special education law, including the importance of a free appropriate public education (FAPE) in the least restrictive environment (LRE.)
- l. Advising the Board, at least twice per school year, regarding educational needs of individuals with disabilities related to their access to FAPE and LRE and the opportunities for their participation in all school related activities.

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

It shall be the policy of the Folsom Cordova Unified SELPA Local Education Agency (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 children with disabilities.

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

It shall be the policy of the Folsom Cordova Unified SELPA Local Education Agency (LEA) to comply with the requirements of the performance goals and indicators developed by the California Department of Education (CDE) and provide data as required by the CDE.

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

It shall be the policy of the Folsom Cordova Unified SELPA Local Education Agency (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 the Folsom Cordova Unified SELPA Local Education Agency (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.

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

It shall be the policy of the Folsom Cordova Unified SELPA Local Education Agency (LEA) that federal funds will not be used to reduce the level of local funds and/or combined level of local and state funds expended for the education of children with disabilities except as provided in Federal law and regulations.

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

It shall be the policy of the Folsom Cordova Unified SELPA Local Education Agency (LEA) that prior to its adoption of policies, procedures and/or regulations, the LEA shall make the policies available to the general public, hold public hearings, provide adequate notice of the hearings, and an opportunity for comment available to the general public, including individuals with disabilities and parents of children with disabilities are held prior to the adoption of any policies and/or regulations needed to comply with Part B of the IDEA.

**20. RULE OF CONSTRUCTION (20 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 Folsom Cordova Unified SELPA Local Education Agency (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 the Folsom Cordova Unified SELPA Local Education Agency (LEA) to provide instructional materials to visually impaired students or other students with print disabilities in a timely manner according to the state adopted National Instructional Materials Accessibility Standard.

**24. OVERIDENTIFICATION AND DISPROPORTIONALITY (20 USC § 1412 (a)(24))**

It shall be the policy of the Folsom Cordova Unified SELPA Local Education Agency (LEA) to prevent the inappropriate disproportionate representation by race and ethnicity of students with disabilities.



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

It shall be the policy of the Folsom Cordova Unified SELPA Local Education Agency (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)(1-3))**

(Federal requirement for State Education Agency only)

**27. DATA (20 USC § 1418 a-d)**

It shall be the policy of the Folsom Cordova Unified SELPA Local Education Agency (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 the Folsom Cordova Unified SELPA Local Education Agency (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. All students will be provided access to the California Common Core Standards.

**29. CHARTER SCHOOLS (E.C. 56207.5 (a-c))**

It shall be the policy of the Folsom Cordova Unified SELPA Local Education Agency (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.

**30. Provision for Ongoing review of Programs (CDE 56195.7 (c)(6))**

The state has in place a system for review of the special education programs in districts. It is the responsibility of Folsom Cordova Unified SELPA to support the delivery of effective programs and services in FCUSD, to support a continuum of appropriate service options, to improve the quality of the programs offered, and to participate in review processes, including the Quality Assurance Process, Self Reviews, Verification Reviews, and Focused Monitoring, as well as Complaints processes and mediation and due process procedures. Folsom Cordova Unified SELPA shall ensure that any non-compliant items identified have been and continue to be rectified.