

**SAN BENITO COUNTY SPECIAL EDUCATION LOCAL PLAN AREA
COMPLIANCE ASSURANCES**

The following is a list of Compliance Assurance Statements:

- 1. FREE APPROPRIATE PUBLIC EDUCATION (20 USC § 1412 (a)(1)) (Policy FR01)**
It shall be the policy of this SELPA that a free appropriate public education is available to all students residing in the SELPA 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)) (Policy FR02)**
It shall be the policy of this SELPA 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)) (Policy FR03)**
It shall be the policy of this SELPA 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. INDIVIDUAL EDUCATION PROGRAM (IEP) AND INDIVIDUAL FAMILY SERVICE PLAN (IFSP) (20 USC § 1412 (a)(4)) (Policy FR04)**
It shall be the policy of this SELPA that an Individual Education Program (IEP) or an Individual Family Service Plan (IFSP) is developed, reviewed and revised for each student with a disability who requires special education and related services in order to benefit from his/her individual education program. It shall be the policy of this SELPA 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 RESTRICTED ENVIRONMENT (20 USC § 1412 (a)(5)) (Policy FR05)**
It shall be the policy of this SELPA 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)) (Policy FR06)**
It shall be the policy of this SELPA 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)) (Policy FR07)**
It shall be the policy of this SELPA 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)) (Policy FR08)**
It shall be the policy of this SELPA that the confidentiality of personally identifiable data information and records maintained by the SELPA 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)) (Policy FR09)**
It shall be the policy of this SELPA 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)) (Policy FR10)**
It shall be the policy of this SELPA to assure that students with disabilities voluntarily enrolled by their parents in private schools shall receive appropriate special education and related services pursuant to SELPA 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 SELPA 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 agencies 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)) (Policy LR01)**
It shall be the policy of this SELPA 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)) (Policy SR01)**
It shall be the policy of this SELPA 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 STANDARDS (20 USC § 1412 (a)(14)) (Policy FR12)

It shall be the policy of this SELPA 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)) (Policy FR13)

It shall be the policy of this SELPA 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)) (Policy FR14)

It shall be the policy of this SELPA 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)) (FR 15 and Annual Budget Plan)

It shall be the policy of this SELPA 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 those funds.

18. MAINTENANCE OF FINANCIAL EFFORT (20 USC § 1412 (a)(18)) (Policy FR16 and Annual Budget Plan)

It shall be the policy of this SELPA 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)) (SR03)

It shall be the policy of this SELPA that public hearings, adequate notice of the hearings, and an opportunity for comment be 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. SUSPENSION/EXPULSION (20 USC § 1412 (a)(22)) (FR17)

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

21. ACCESS TO INSTRUCTIONAL MATERIALS (20 USC § 1412 (a)(23)) (FR18)

It shall be the policy of this SELPA to provide instructional materials to blind students or other students with print disabilities in a timely manner according to the state adopted National Instructional Materials Accessibility Standard.

22. OVERIDENTIFICATION AND DISPROPORTIONALITY (20 USC § 1412 (a)(24)) (FR19)

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

23. PROHIBITION ON MANDATORY MEDICINE (20 USC § 1412 (a)(25)) (FR20)

It shall be the policy of this SELPA 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.

24. DATA (20 USC § 1418 a-d) (LR11)

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

25. READING LITERACY (State Board requirement, 2/99) (SR07)

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

26. CHARTER SCHOOLS (E.C. 56207.5 (a-c)) (SR05)

It shall be the policy of this SELPA 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.

In accordance with Federal and State laws and regulations, San Benito SELPA certifies that the Local Plan has been 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 agencies herein represented will meet all applicable requirements of state and federal laws, regulations and state policies and procedures, including compliance with the Individuals with Disabilities Education Act, 20 USC 1400 et.seq, and implementing regulations under 34 CFR, Parts 300 and 303, 29 USC 794, 705 (20), 794- 794b, the Federal Rehabilitation Act of 1973, as amended, and the provisions of the California Education Code, Part 30 and Chapter 3, Division 1 of Title V of the California Code of Regulations.

The SELPA superintendent shall administer the local implementation of procedures, in accordance with state and federal laws, rules, and regulations, which will ensure full compliance and ensures that policies and procedures covered by this assurance statement are on file at the Local Education Agency and the SELPA office.

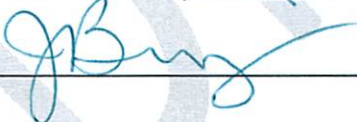
In accordance with federal and state laws and regulations, the North County Joint Union School District certifies that this plan has been adopted by the appropriate local board(s) (district/county) and is the basis for the operation and administration of special education programs, and that the agency herein represented will meet all applicable requirements of state and federal laws, regulations, and state policies and procedures, including compliance with the Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq., and implementing regulations under 34 Code of Federal Regulations, Parts 300 and 303, 29 U.S.C. 794, 705 (20), 794-794b, the Federal Rehabilitation Act of 1973, as amended, and the provision of the California Education Code, Part 30 and Chapter 3, Division 1 of Title V of the California Code of Regulations.

Be it further resolved, the LEA superintendent shall administer the local implementation of procedures, in accordance with state and federal laws, rules, and regulations, which will ensure full compliance.

Furthermore, the LEA superintendent ensure that policies and procedures covered by this assurance statement are on file at the LEA and the SELPA offices, and are available to any interested party.

Adopted this 11 day of April, 2019

Yeas: 5 Nays: 0

Signature: , Superintendent