

IDEA 04 – Individuals with Disabilities Education Act Reauthorization of 2004 - This federal law identifies the elements of special education and the requirements/mandates of the public education system to improve outcomes for students with disabilities.

IEP – Individualized Education Program – developed for each special education pupil, identifying the child’s eligibility for special education, present levels of performance, the educational goals (and objectives if appropriate), special factors to consider, and services to be provided.

LEA – Local Education Agency – any local school district, County Office of Education or independent charter school which has responsibility to provide special education services to eligible students.

LRE – Least Restrictive Environment – an appropriate educational placement which permits a pupil to participate as fully as possible with nondisabled peers while still addressing the services identified in the IEP.

SELPA - Special Education Local Plan Area – one or more districts forming geographic regions of sufficient size and scope approved by the California Department of Education to provide a comprehensive range of special education programs and services for students.

For more information and each SELPA’s contact information, please go to <http://www.cde.ca.gov/sp/se/as/caselpas.asp>



California’s Special Education Local Plan Areas (SELPAs)

Increased Accountability to Parents and Public: The funding structure for special education calls for annual presentation and approval of both a Budget Plan for each and every SELPA, as well as the Service Plan for the SELPA, assuring parents, boards, and the public that all students with disabilities are being appropriately served.

Coordinated Staff Development Programs: Through the use of SELPA Program Specialists and other regional staff, a broader base of specialized training and instructional support programs can be provided to keep teachers and other staff aware of improvements and instructional strategies and increase collaboration with general education programs.

Terms and Acronyms

A.D.A. – Americans with Disabilities Act

ADA – Average Daily Attendance is a per pupil accounting of student attendance. The state of California pays districts based on total ADA for all students.

CAC – Community Advisory Committee is composed of persons appointed to advise the SELPA on various aspects of the Local Plan.

CASEMIS – California Special Education Information Management System is utilized to collect and report data about students with disabilities to the California Department of Education Special Education Division.

FAPE – Free and Appropriate Public Education - legal right under IDEA for each eligible child with a disability to be provided with the special education and related services as described in an IEP and under public supervision at no cost to the parent/guardian.

The complexity of the rules and responsibilities imbedded within and surrounding special education has created the need for skilled and knowledgeable administrators who must understand the laws and apply them fairly.

Fiscal Aspects

Funding for special education has historically been less than the identified needs. The fiscal support for special education programs and services are provided through a combination of local, state and federal revenue sources. Federal revenues have remained at less than half the federal commitment for many years. State entitlement funding has had significant deficits, leaving district general funds to make up the difference. The state’s method of allocating funds for special education shifted from a classroom-based model to a type of categorical per capita funding, using the total average daily attendance (ADA) of a SELPA as the basis for allocations. Several fiscal and administrative benefits have been enhanced by the change from LEA funding to SELPA-wide funding:

Improvements in Funding Equity: Comparing the SELPA-wide calculated average funding level per pupil (ADA) with the statewide average, movement toward regional equity is being achieved.

Flexible Funding Allocations Within SELPA: Allocation of funds to the SELPA’s governance structure allows local decision making regarding support for specific types of district and regional programs, the provision of greater equity according to local needs such as low incidence services, areas of scarcity within a SELPA, and/or reducing district reliance on nonpublic schools and agencies.



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Introduction

The Special Education Local Plan Area (SELPA) Administrators of California is an association of professional educators organized to present, review, and evaluate major special education issues. This document was prepared in response to questions regarding the unique organizational and program structure for special education in California. It is intended to identify the what, why and how of special education services in California. The information contained herein can be used with legislators, parents, agencies, and other educators as it provides broad descriptions of SELPAs. For more detail, contact your local SELPA listed in the final section.

Significant changes have occurred in services and programs provided for children with disabilities in the public schools of California. These changes have stemmed from new laws and regulations at both the state and national levels. New interpretations of existing laws by the courts have further modified and expanded the services required for students with disabilities. SELPAs work as an extension of the California Department of Education Special Education Division (CDE/SED) to ensure that the rights of students with disabilities are maintained at the local education agency (LEA) and school site levels. The spirit of fairness and equity that characterizes the public school system in America has also helped to enhance the inclusion of students with disabilities into our daily operations.

Legal Background

In the early 1970's, a simultaneous movement across the country resulted in the passage of important federal and state laws. Historically, children with disabilities were identified only if their educational needs were obvious. 2

- All general education resources are considered and, where appropriate, utilized on a local or regional basis to meet the needs of students with disabilities.
- A system exists at the regional level for identification, assessment, and placement of students with disabilities and the implementation of programs to support them.
- A viable system for public education is functioning in the community, with broad participation and interaction involving parents and other agencies serving children and young adults.
- An annual compliance monitoring system is implemented, that continues to assure noncompliant items that have been identified have and continue to be rectified.

Program Specialists have a critical role in both SELPA and LEA special education operations. Their responsibilities include:

- Observing, consulting with and assisting special education staff;
- Planning programs, coordinating curricular resources, and evaluating effectiveness of programs for students with disabilities;
- Providing or participating in staff development, program development, and innovation of special methods and approaches; and
- Facilitating meetings to assure pupils have full educational opportunities.

The SELPA responsibility is met through a network of cooperative agreements among LEAs and agencies. The SELPA Office coordinates this network and provides a focal point for the student and/or family seeking information and services. This function is one of the most complex, but truly beneficial, processes of the entire special education delivery system. 11

- Assuring that an effective management information system is available to monitor student data.
- Implementing cost-effective procedures and management systems to maximize the quantity and quality of services and programs for the benefit of students with disabilities.
- Maintaining lines of communication with parents, staff and Community Advisory Committee members.
- Maintaining line of communication with all publicly supported agencies providing services to students with disabilities.
- Maintaining lines of communication with the community regarding special education programs and services.
- Maintaining quality regionalized services to support participating districts.

Special Education Programs

Under comprehensive special education programming, several beneficial goals have been achieved. It is the SELPA's responsibility to assure program availability for all students with disabilities in the school-age population regardless of the disability. It is incumbent upon the SELPA to see that a continuum of programs and services are available to meet the unique needs of each student with a disability, to assist in intra-SELPA and inter-SELPA placements, and to provide technical assistance and administrative support for the requirements of Federal and State laws.

The SELPA Administrator is responsible for assuring that:

- All individuals with disabilities receive a free appropriate public education in the least restrictive environment.

Thousands of students with disabilities were excluded from attending public schools. Those who were allowed to attend were typically placed in programs designed to serve children with similar disabilities in special education schools or locales. Such categorical programs were usually effective in providing specialized services for the populations they served; but in many cases, expectations for learning were inappropriate in relation to the students' actual potential.

The Rehabilitation Act of 1973, amended in 1992, includes Section 504, which affirms the right of any student or adult who has a mental or physical impairment which inhibits a major life activity including learning; has a history of such an impairment; or is considered by a team of knowledgeable individuals to have such an impairment, from being discriminated against in any program or activity receiving federal financial assistance. This Act also requires that students be given a free appropriate public education in general education classes, with necessary supplementary aids and services, if they are determined by a school team to be disabled under Section 504 or the Americans with Disabilities Act (A.D.A.). Such eligibility may exist without concurrent eligibility for special education under the Individuals with Disabilities Education Act (I.D.E.A.).

The Rehabilitation Act was followed in 1975 by the passage of PL 94-142, the Education of Handicapped Act, which was changed in 1990 to the Individuals with Disabilities Education Act (I.D.E.A.). This legislation provides that all students who are eligible for special education must be provided with a free appropriate public education (FAPE) in the least restrictive environment (LRE). I.D.E.A. was reauthorized in 1997 and again 2004.

The California Legislature implements the provisions of I.D.E.A. through the “*California Master Plan for Special Education*”. This plan provides the legal foundation for a comprehensive state-wide model for the provision of special education. It requires districts to have sufficient size and scope to meet the needs of all students with disabilities from birth to 22 either individually or as a special education service region. These regions are known as Special Education Local Plan Areas (SELPA), the backbone to California’s special education organizational model.

Some of the major areas covered by state and federal laws are the following:

- **Child Find** - Each public school system is responsible to find and serve all eligible children with disabilities in its area.
- **Free Appropriate Public Education** - Each public school system is responsible for ensuring that each child with disabilities is served appropriately, at no cost to the parent.
- **Least Restrictive Environment** - Each child is assured of his/her right of education with nondisabled peers to the maximum extent appropriate.
- **Due Process** - The right of parent participation, and challenge, in all aspects of assessment, identification and placement is assured; this involves mediation, administrative hearing procedures or complaint procedures in case of disputes.

Individualized Educational Program - The right of a child to an educational program designed to meet

- Maintaining programs and services within the
- SELPA which will allow each individual with disabilities to achieve at a level commensurate with his or her ability.
- Assuring that each individual with disabilities is integrated within and has access to the district core curriculum and extracurricular activities as appropriate.
- Assuring the availability of due process rights for students and their parents served in each SELPA.

For Special Education Services

- Eliminating duplication of services within and between SELPAs.
- Improving the quality of programs through the use of on-going evaluations.
- Encouraging involvement by parents of each child with a disability in the IEP process.

For Staff

- Increasing awareness of parents of individuals with disabilities through a comprehensive program of parent education.
- Assuring that all certificated and classified staff members achieve professional growth through a comprehensive regional program of staff development.
- Maintaining opportunities for sharing technical resources and information among SELPAs.

SELPA-wide

- Fostering public support for special education through the maintenance of a strong position of child advocacy.

The Goals of the SELPAs

Even though there are many organizational structures for a SELPA, all SELPAs have the same basic goal: to deliver high quality special education programs and services to students with disabilities in the most effective manner practicable. SELPAs believe that all students can learn and that students with special needs must be guaranteed equal opportunity to become contributing members of society. SELPAs facilitate high quality educational programs and services for students with special needs and training for parents and educators. SELPAs collaborate with county agencies and LEAs to develop and maintain healthy and enriching environments in which students with special needs can succeed.

Strategies employed to achieve these and the following goals include:

- Responding to specific areas of local, state and public concerns;
- Emphasizing the need for effective special education services to improve educational and life outcomes for students with disabilities;
- Organizing SELPA Administrators for support of common education goals; and
- Defining SELPA governance and organization with flexibility at the local level.

For Special Education Students

- Assuring that appropriate programs and services are provided to meet the needs of each child with disabilities throughout the state.
- Assuring that a full continuum of programs is available to each individual with disabilities served by each SELPA.

his/her individual needs and based on adequate assessment is assured. At age 16, or younger if appropriate, the IEP includes transition requirements in the areas of education, training, employment, and independent living.

These concepts have been reinforced and interpreted by a number of court cases since the passage of the law. These laws and regulations promote changes and procedures leading to such things as the following:

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| * Coordination of Resources Among School Districts by Regions | * Full Service to All Students with Disabilities |
| * Less Restrictive Placements | * Guaranteed Equality of Access |
| * Increased Parent Participation | * Individualized Educational Programs |
| * Social Acceptance of Children with Disabilities | * Improved Self-Esteem for Children with Disabilities |
| * Annual Reviews of Progress | * Career Training |
| * Local Governance Systems | * Due Process Rights |
| * Compliance and Quality Assurance | * Program Reviews/Evaluation |
| * Staff Development Programs | * Community Involvement and Support |

Gradually, the community and public agencies have become aware that children with disabilities can be educated with their non-disabled peers, guaranteeing equal opportunities for all children, including children with disabilities.

Today, parents, students and staff work together to make certain that the appropriate services are provided on an individualized basis for every child with a disability. The services are provided through the Special Education Local Plan Areas – SELPAs. A Local Plan is developed and maintained in each community by the people who live there as the basis of these improvements and the foundation of all services.

What is a SELPA?

In 1977, all school districts and county school offices in California were required to form geographical regions of sufficient size and scope to provide for all special education service needs of children residing within the region’s boundaries. Each region became known as a Special Education Local Plan Area – SELPA.

Today, there are over 130 SELPAs in the State. The SELPA governance structures vary in form, including models for Multi-District SELPAs, Multi-District/County Office SELPAs, Single District SELPAs, Multi-District/Multi- County SELPAs, County SELPAs with Joint Powers Agreements, and Charter only SELPAs. Size and scope also varies across the state. Each SELPA has a Local Plan describing how it provides special education services. Specific components to be included in the Local Plan are delineated in the Education Code.

The SELPA and member local education agencies (LEAs) foster coordination between general and special education for prevention and early intervention of suspected disabilities. The SELPA also ensures appropriate education services for individuals with disabilities by working cooperatively with other public and private agencies to support a full complement of special education services for students. Each SELPA must have

an Administrative Unit (also known as the Responsible Local Agency), which serves as the legal entity that receives funds. In some instances, the Administrative Unit is a school district and in other instances it is the county office.

Costs for SELPA operations and the Administrative Unit are provided by funding from the state, which may be augmented by local, federal and state funds. Each region determines the funds available for regionalized services and the responsibilities of the SELPA office. The SELPA policy-making body is designated in the Local Plan to make policy decisions, approve the SELPA budget and Allocation Plan, and direct SELPA operations. SELPA responsibilities include such things as:

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| * Ensuring Program Availability for all Children with Disabilities | * Curriculum Development and Support |
| * Governance committees, including Community Advisory Committee (CAC) | * Management Information System (CASEMIS) Reporting to the State |
| * Assistance with understanding compliance requirements | * Regionalized Services and Program Specialists |
| * Transition Planning | * Interagency Coordination |
| * Program Coordination | * Program Evaluation |
| * Fiscal Management | * Budget Planning and Review |
| * Staff Development | * Community Awareness |