

## **Philosophy-Goals-Objectives and Comprehensive Plans**

### **COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION**

**BP 0430(a)**

The Board of Trustees recognizes its obligation to provide a free appropriate public education to all individuals with disabilities, aged 3 to 21 years, who reside in the district.

In order to meet the needs of individuals with disabilities, the district shall participate as a member of a Special Education Local Plan Area (SELPA) with other districts and the county office of education pursuant to Education Code 56195.1.

The district shall enter into agreements with other members of the SELPA in accordance with Education Code 56195.1 and 56195.7. Consistent with these agreements, the district shall adopt policies governing the programs and services it operates. (Education Code 56195.8)

The Superintendent or designee shall work with the other members of the SELPA to develop a local plan for the education of individuals with disabilities. The plan shall be approved by the Board and the other members of the SELPA, and shall be submitted to the Superintendent of Public Instruction (SPI). (Education Code 56195.1)

Students shall be referred for special education instruction and services only after the resources of the regular education program have been considered, and where appropriate, utilized. (Education Code 56303)

Each year, the Superintendent or designee shall provide to the Board any data and/or information regarding the special education funding generated by the district as supplied by the SPI and the SELPA in accordance with Education Code 56836.148.

The local plan shall be reviewed at least once every three years and updated as needed to ensure the information contained in the plan remains relevant and accurate. The local plan shall be updated cooperatively by a committee of representatives of special and regular education teachers and administrators selected by the groups they represent and with participation by parent/guardian members of the community advisory committee, or parents/guardians selected by the community advisory committee, to ensure adequate and effective participation and communication. (Education Code 56195.9)

Special education programs and services shall be reviewed on an ongoing basis. The results of such evaluations shall be used to identify and correct any program deficiencies.

(cf. 0400 - Comprehensive Plans)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 1220 - Citizen Advisory Committees)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 3541.2 - Transportation for Students with Disabilities)

(cf. 4112.23 - Special Education Staff)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

(cf. 6020 - Parent Involvement)  
(cf. 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities)  
(cf. 6159 - Individualized Education Program)  
(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)  
(cf. 6159.2 - Nonpublic Nonsectarian School and Agency Services for Special Education)  
(cf. 6159.3 - Appointment of Surrogate Parent for Special Education Students)  
(cf. 6159.4 - Behavioral Interventions for Special Education Students)  
(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)  
(cf. 6164.41 – Children with Disabilities Enrolled by Their Parents in Private School)  
(cf. 6164.6 - Identification and Education Under Section 504)

Legal Reference:

EDUCATION CODE

56000-56001 Education for individuals with exceptional needs  
56020-56035 Definitions  
56040-56046 General provisions  
56048-56050 Surrogate parents  
56055 Foster parents  
56060-56063 Substitute teachers in special education  
56170-56177 Children enrolled in private schools  
56190-56194 Community advisory committees  
56195-56195.10 Local plans  
56205-56208 Local plan requirements  
56213 Special education local plan areas with small or sparse populations  
56240-56245 Staff development  
56300-56385 Identification and referral, assessment, instructional planning  
56440-56447.1 Programs for individuals between the ages of three and five years  
56500-56508 Procedural safeguards, including due process rights  
56520-56524 Behavioral interventions  
56600-56606 Evaluation, audits and information  
56836-56836.05 Administration of local plan

GOVERNMENT CODE

7579.5 Surrogate parent, appointment, qualifications, liability  
95000-95029 California Early Intervention Services Act

WELFARE AND INSTITUTIONS CODE

361 Limitations on parental control  
726 Limitations on parental control

CODE OF REGULATIONS, TITLE 5

3000-3089 Regulations governing special education

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act (FERPA) of 1974  
1400-1482 Individuals with Disabilities Education Act

Legal Reference: (continued)

UNITED STATES CODE, TITLE 29  
794 Rehabilitation Act of 1973, Section 504

UNITED STATES CODE, TITLE 42  
12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 34  
99.10-99.22 Inspection, review and procedures for amending education records  
104.1-104.39 Section 504 of the Rehabilitation Act of 1973  
300.1-300.818 Assistance to states for the education of children with disabilities, including:  
300.500-300.520 Procedural safeguards and due process for parents and students  
303.1-303.654 Early intervention program for infants and toddlers with disabilities

Management Resources:

**WEB SITES**

CSBA District and County Office of Education Legal Services: [legalservices.csba.org](http://legalservices.csba.org)  
California Department of Education, Special Education: <http://www.cde.ca.gov/sp/se>  
U.S. Department of Education, Office of Special Education Programs:  
<http://www.ed.gov/about/offices/list/osers/osep>