

Merced County SELPA

Policy 1.13

GOVERNANCE

The Merced County SELPA is comprised of twenty school districts and the Merced County Office of Education. These participating local education agencies have joined in a cooperative effort to provide for the coordinated delivery of programs and services and to assure equal access to such programs and services to eligible individuals with disabilities in the services region. The Merced County Office of Education (MCOE) is designated as the Administrative Unit for the Merced SELPA, accepting regionalized services and program specialist funds and the responsibilities that accompany them. The MCOE also operates special education programs which are distinct from the Administrative Unit functions, each being defined as a separate entity with respect to its participation in the SELPA.

Description of Governance Structure: Membership and Role Definition

The Governing Bodies of the Merced SELPA are the Board of Director and the Executive Committee.

The Special Education Advisory Committee (SEAC) and the Community Advisory Committee (CAC) act in an advisory capacity to these governing bodies regarding the development, amendment and review of the Local Plan.

Board of Directors

- Membership:** Superintendents of all 21 school districts in Merced County and the Merced County Office of Education. The Merced County Superintendent is an elected official and state constitutional officer and is the policy-making authority for the Merced County Office of Education. District Superintendents represent their Governing Boards at Board of Directors' meetings. The SELPA Director (MCOE Assistant Superintendent) is included as secretary and facilitator.
- Meetings:** Scheduled to meet Sept, Oct, Nov, Feb, March, April, May and June.
- Function:** Top decision-making group for the SELPA, acting on behalf of district governing boards. Determines SELPA policies and procedures, discusses administrative and fiscal issues and gathers information for district boards. The County Superintendent has administrative responsibility for regionalized services and maintains communication and advisory channels with the district superintendents regarding receipt and distribution of these revenues.
- Structure:** Pre-arranged agenda submitted to members prior to meeting.
Chairperson and Secretary
Minutes recorded/maintained/provided

Modified Robert's Rules of Order
Each member has one vote
Quorum consists of eleven voting members

Executive Committee

- Membership:** Six District Superintendents, including two from large unified districts, three from high school and feeder districts grouped by ADA, and one from south county districts. The County Superintendent is a permanent member. District Superintendents serve a two-year rotating term basis and are elected by the Board of Directors. The SELPA Director is included as secretary and facilitator.
- Meetings:** Schedule for Sept – June as needed
- Function:** Primary purpose is to review and screen policies/procedures before they are presented to the Board of Directors. Makes decisions on specific issues with authorization from the Board of Directors. Has responsibility for final and binding arbitration to resolve conflicts. Takes reports and recommendations by the Hearing Panel. May initiate policies and procedures to be considered by the Board of Directors. Recommends policies and procedures for approval by the Board of Directors.
- Structure:** Pre-arranged agenda submitted to members prior to meeting.
Chairperson and Secretary
Minutes recorded/maintained/provided
Modified Robert's Rules of Order
Each member has one vote
Quorum consists of four voting members

Special Education Advisory Committee

- Membership:** One representative from each of the 21 districts, the Merced County Office of Education, and the Special Education Community Advisory Committee. Membership represents a wide variety of positions in special education. The Committee includes the SELPA Director. Chairperson is a district representative, elected annually by the membership. Special Education Program/SELPA Coordinator serves as secretary and facilitator.
- Voting Members:** Appointed district representatives or that person's substitute, SELPA director or designee, CAC President or designee.
- Non-voting Members:** MCOE SELPA/Program Coordinators, other MCOE or district staff.

Meetings: As necessary; (8 to 10 times each year)

Function: Takes input from the field regarding implementation of services and programs.
Makes program recommendations.
Advises on policies and procedures

Structure: Pre-arranged agenda submitted members prior to meeting.
Chairperson and Secretary
Minutes recorded/maintained/provided
Modified Robert's Rules of Order
May establish ad hoc committees/subcommittees as needed, which may include any staff members designated by SEAC members.
Each member has one vote
Quorum consists of eleven voting members
Approval of a motion requires majority vote of members present

Community Advisory Committee

Membership: Parent representatives from any of the districts, including the Merced County Office of Education. The parent representative must be the parent of a child with disabilities.

Other members include community agency staff, educators and community members selected by SELPA Office. SELPA Director included as a member.

Governance: Chair and Secretary. One-year term with the option of serving for a second year.

Meetings: Meets approximately once each month, as determined by the membership.

Function: Advises the policy and administrative bodies of the SELPA regarding the development, amendment and review of the Local Plan. Reviews and considers comments from the Community Advisory Committee, recommends annual priorities to be addressed by the plan, assists in parent education and in recruiting parents and other volunteers who may contribute to the implementation of the plan, encourages community involvement in the development and review of the local plan, and supports activities on behalf of individuals with disabilities. Recommendations are forwarded to the Special Education Advisory Committee to the Executive Committee.

By-laws: By-laws of the CAC are maintained at the Merced County Office of Education in the Special Education Office.

Roles and responsibilities of the county office and district governing board members in the policy-making process:

The Merced County Superintendent is an elected official and state constitutional officer and is the policy-making authority for the Merced County Office of Education. District Superintendents represent their Governing Boards at Board of Directors' meetings. The Board of Directors determines the Special Education Local Plan Area (SELPA) policies. The County Superintendent has administrative responsibility for regionalized services with input from the Board of Directors. The District Boards set district policies in their districts, ensuring that such policies are not inconsistent with SELPA policies.

Process for Amending the Local Plan:

Changes or amendments to SELPA policies that will change or amend the permanent portion of the Local Plan may be considered during the annual service and budget plan process and approved by the Board of Directors on an interim basis, not to exceed one year. The SELPA will operate conditionally under those amendments during the interim period until the amendments have gone through the applicable steps in the approval process, concluding with the approval of each LEA governing board. Following approval by the governing boards, amendments to the plan will be forwarded to the State Board of Education for official approval.

Schedule of regular consultations regarding policy and budget development with representatives of special education teachers, general education teachers, administrators and parent members of the CAC selected by the groups they represent:

Deliberations regarding policy and budget development take place at any of the two levels of administrative governance, at regularly scheduled meetings. The SEAC and CAC review policies and may recommend the initiation of policies by the Executive Committee.

Responsibilities of each district and county administrator of special education in coordinating the administration of the plan:

The Assistant Superintendent for Special Education for the Merced County Office of Education/SELPA Director with the County Superintendent is responsible for coordinating the implementation of the Local Plan. District special education administrators are responsible for serving in an advisory capacity to the Assistant Superintendent for Special Education and to their respective district superintendents in the coordination and implementation of the local plan. The district administrators carry out that responsibility individually and as members of SEAC. District special education or site administrators and MCOE special education program/SELPA coordinators are primarily responsible for implementation of the local plan.

Responsibilities of the administrator of the SELPA and the administrative unit:

The Assistant Superintendent for Special Education and administrative unit staff are responsible for the following duties:

1. Coordinate implementation of the Local Plan
2. Serve as the Executive Secretary to the Executive Committee; develop the agenda and report minutes for meetings.
3. Coordinate activities of the Special Education Advisory Committee (SEAC)
4. Provide assistance and direction to SEAC members in meeting their districts' responsibilities under the Local Plan.
5. Assure the preparation of agendas and minutes for SEAC meetings and report their recommendations to the Executive Board.
6. Serve as liaison and secretary on the Community Advisory Committee (CAC). Assure preparation of agendas and minutes of the Committee. Assure that CAC recommendations are reported to SEAC.
7. Act as a liaison between and among the Merced SELPA districts, the State Department of Education, the Board of Directions, the Executive Committee, SEAC, CAC, Federal Departments and elected government officials.
8. Complete reports for the Merced SELPA and individual districts in accordance with State requirements.
9. Coordinate and assist in the development and revision of SELPA and other forms related to the operation of special education programs.
10. Coordinate and facilitate the establishment of Merced SELPA standards, procedures and guidelines for the implementation of the Local Plan.
11. Implement the regionalized services of the SELPA, including:
 - a. Personnel development.
 - b. Program review and evaluation.
 - c. Data collection, information management and reporting.
 - d. Curriculum and program development.
 - e. Monitoring of local plan implementation Program Specialist Services.
 - f. Interagency coordination and development of agreements
 - g. Nonpublic school/agency coordination and development of contracts
 - h. Other matters related the representation and operation of the SELPA, including program compliance monitoring and support.
12. The SELPA will review and certify the CALPADS submission of each member required by CDE. The SELPA will provide technical assistance and training to members as requested and deemed necessary. LEAs are responsible for the data entry, quality and integrity. LEAs will approve CALPADs for submission as required by the CDE.

13. The SELPA will ensure timely transmission of required reports and provide technical assistance to member districts in completing said reports. Each member district will submit the required data in order for the SELPA to submit timely reports.
14. The SELPA will provide professional development as required to support the transition needs of its member districts. The SELPA will monitor the implementation of supports and services through the Annual Performance Plan Indicators.
15. Provide information regarding program placement options for students.
16. Upon request, participate in IEP meetings where technical assistance is needed.
17. Provide consultation to districts as requested on current State and Federal Laws related Special Education.
18. Provide technical assistance to LEAs in due process and complaint proceedings by providing expertise in knowledge of Local Plan policies and procedures as well as programs and appropriate interventions available throughout the SELPA
19. Act as a liaison between and among the districts of the Merced SELPA, the State Department of Education, and the Community Advisory Committee, the Special Education Advisory Committee, the Executive Committee, the Board of Directors, Federal Departments and elected government officials.
20. Update the Community Advisory Committee, the Special Education Advisory Committee, the Executive Committee and the Board of Directors on legislative changes, proposals, trends, and related concerns.

Roles of the administrative unit, the administrator of the SELPA, and the individual school districts in relation to the hiring, supervision and evaluation of the administrator of the local plan area and staff employed by the administrative unit in support of the local plan.

Employment, supervision and evaluation of administrative unit staff is the responsibility of the Merced County Office of Education. Input from school districts regarding employment needs is provided as appropriate.

Method of determining the distribution of funds and services:

The planning process for the distribution of funds and services is described in fiscal policies.

Provision for payment of regional costs for transportation services:

Transportation responsibility is the district residence responsibility. See Policy 2.14 and Policy 3.1 for guidance.

Accounting (audit trail) for the Utilization of Federal Flow-through Funds:

The SELPA office currently receives funding for projects such as the 1989 Preschool Continuation Grant Program. There are two in-service grants, one of which is entitled “In-service Training” and the other of which is entitled “Preschool Staff Development”. The SELPA office also receives the following entitlements: “Low Incidence Service”, “Removal of Architectural Barriers” and “Local Assistance”.

Process for Utilization of Low Incidence Funds:

1. Districts/programs submit applications to the SELPA Office for specific items for individual students. Low incidence equipment must be identified in individual student IEPs.
2. With input from specialists in low incidence disabilities, the SELPA Office approves applications based on (a) pupil needs, (b) equal distribution of funds, (c) number of pupils to benefit, and (d) availability of items.
3. MCOE purchases, distributes, and inventories all items.
4. The SELPA Office maintains audit trail and inventory documentation.
5. The SELPA Office fulfills other responsibilities for legally mandated procedures associated with low incidence equipment, book, and materials funds.

Procedures for Making Changes in Budgetary Allocations:

Distribution of unexpected additional funds or shortfalls is determined with input from all districts in the SELPA according to relevant policies and procedures.

Roles of the administrative unit, the SELPA Director and the districts in relation to the operation of special education programs:

Responsibilities of district and county agencies in the education of individuals with exceptional needs, including those enrolled in charter schools, are determined by the policy making process. In accordance with SELPA Policy 1.05 “Least Restrictive Environment”, each district provides services to students within their home district to the maximum extent appropriate. Students with unique educational needs are referred to regional programs operated by other districts, including the Merced County Office of Education, in accordance with provisions of SELPA Policy 3.6 “Regional Programs and District Responsibilities”. The annual Special Education Personnel

Data Report submitted to the SELPA Administrative Unit indicates services to be provided by each district. The SELPA then verifies that each district is operating the minimum required services. The Special Education Program Deficit is billed back to each district in accordance with SELPA Policy.

Decisions regarding numbers of students served and the allocation of revenue are made by the Executive Committee. The Board of Directors annually reviews funding distribution within the region and revises the distribution if necessary.

Districts and the Merced County Office of Education may implement changes in their annual services with the approval of the SELPA Director.

Roles of the administrative unit, the administrator of the plan area and the districts in relations to monitoring the appropriate use of federal and local funds for special education programs:

SELPA Policies describe the respective roles of the administrative unit, the administrator of the plan area and the districts relative to this function.

Dispute resolution process:

Disputes over the distribution of funding or any governance and administration issues may involve any one or more of the four permanent committees within the Merced SELPA governance structure, depending on the origin and nature of the specific case. These committees (CAC, SEAC, Executive Committee and Board of Directors) represent parents, professional groups, and all districts in the SELPA. Since the agendas of these committees are open to inclusion of any issue of concern, conflict situations can initially be addressed by any of the committees.

Disputes may involve transfer of the issue of concern between two or more committees, depending on the subject and other case-specific factors. For instance, a program quality issue may be initially articulated at a CAC meeting and then directed to SEAC for resolution. An administrative authority issue may be brought up at a SEAC meeting, subsequently discussed at an Executive Committee meeting, and resolved with a policy revision enacted by the Board of Directors.

The Executive Committee has responsibility for final and binding arbitration to resolve conflicts. Prior to taking this step, the Executive Committee may appoint a hearing panel to serve as a resource to assist in resolving violations of policy or non-compliance issues. The appointees to the hearing panel shall be a representative group of three superintendents, one each from small, medium and large sized school districts within the SELPA, who are not members of the Executive Committee. The hearing panel shall file a report to the Executive committee including their recommendations(s) for resolution.

The Community Advisory Committee:

Members of the CAC are self-selected or may be appointed by District Superintendent designee. Other members may be nominated by the SELPA Director. The CAC serves in an advisory capacity as described in the committee by-laws and local plan.

The membership of CAC consists of the following: parents of individuals with exceptional needs enrolled in public or private schools, parents of other pupils enrolled in school, pupils and adults with disabilities, regular and special education teachers, other interested school personnel, representatives of other public and private agencies, and other persons concerned with the needs of individuals with exceptional needs. The majority of the CAC is composed of parents of individuals with exceptional needs.

The SELPA Director, an ex-officio member of the CAC, is the communication between the CAC and the Board of Directors. This provides a two-way feedback system.

The SELPA will provide fiscal and logistical support of the CAC meeting, events and trainings.

Method by which members of the public may address questions or concerns:

The CAC is a logical form by which members of the public, including parents/guardians of individuals with exceptional needs who are receiving special education services may address questions or concerns to the governing body or individual responsible for administration.

Concerns by parents or other members of the public may also be addressed to SELPA or district administrative staff, which will either address the expressed concerns directly, or refer the person to an individual who can assist them.

Individuals who express concerns are encouraged to begin with local district administration or with the CAC, which may coordinate meetings between the district and the individual. Subsequent involvement by SELPA staff, including Program Specialists or the Special Education Director, will occur as appropriate to the circumstances.

Regionalized services and program specialist services:

All regionalized services funds are allocated to the Merced County Office of Education and are used to support the SELPA office, which is the administrative unit responsible for providing regionalized services and program specialist services. The only exception to this allocation pattern is the occasional allocation of revenue to service a SELPA-wide population as authorized by EC 56730 (b) (3).

Program Specialist duties are assigned to SELPA and MCOE program staff by the SELPA Director.

Program Specialists range of services include:

1. Observing, consulting with, and assisting regular and special education staff.
2. Planning programs, coordinating curricular resources, and sharing in the evaluation of programs for children with disabilities.

3. Assisting with staff development, program development, and implementation of innovative methods, approaches and service models.
4. Coordinating and/or assisting in the placement of students outside their district of residence.
5. Assisting with dispute resolution and legal compliance.
6. Serving as liaison and consultant to other professionals, appropriate agencies and the community.
7. Providing coordination, consultation and program development in one or more specialized areas of expertise.
8. Providing Inservice training and technical assistance for general, special education staff and parents. The SELPA will regularly solicit needs and interests.
9. Provide technical assistance and professional development to districts in curriculum development needs and alignment with the core curriculum.
10. Supporting the assurance that pupils have full educational opportunity regardless of the district of residence.
10. Participate in and/or conduct IEP team meetings for students considered for placement in other LEAs, other SELPAs, and/or nonpublic school placements.

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