

**POLICY 0430: COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION**

**Comparison Matrix**

Section: Philosophy, Objectives, and Comprehensive Plans

**SUMMARY OF UPDATE**

**Summary of Update:** Policy updated to reflect **NEW LAW (AB 181, 2022)** requiring the State Superintendent of Public Instruction to make publicly available the special education funding each local educational agency (LEA) generates for their Special Education Local Plan Area (SELPA), and for the SELPA, to report to member LEA's the amount of funding each LEA generates for the SELPA.

CSBA NOTE: Pursuant to Education Code 56195.1, school districts and county offices of education (COE) are required to form geographical regions, known as Special Education Local Plan Areas (SELPAs), of sufficient size and scope to administer a local plan and the allocation of funds for all the special education service needs of the children residing within the boundaries of the region. Districts may join together or with a COE to form a SELPA, or a single district may form its own SELPA. Education Code 56195.1 prohibits a district from creating a single-district SELPA until July 1, 2024.

Each SELPA is required to develop and administer a local plan describing how it will provide special education services. Pursuant to Education Code 56195.5, the Governing Board has authority, consistent with the SELPA plan, over the programs it directly maintains.

The following policy and accompanying administrative regulation should be revised to reflect requirements for the type of SELPA in which the district participates.

| CURRENT VERSION |         |             | REVISED VERSION   | CSBA MODIFICATIONS<br>and/or NOTES  |
|-----------------|---------|-------------|---|---|
| PARA            | Section | Sub-Section | December 10, 2013   |   |
| 1               |         |             | <p>The Governing Board desires to provide a free appropriate public education to individuals with disabilities aged 3 to 21 years, who reside in the district, including children who have been suspended or expelled or placed by the district in a nonpublic school or agency services.</p> | <p>The Governing Board 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.</p> |
| 2               |         |             | <p><del>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.</del></p>  | <p><b>Delete</b></p>  |

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| 3 |  | <p>The special education local plan area (SELPA) shall administer a <del>local plan</del> and administer the allocation of funds.</p>  | <p><b>Delete</b></p>   |  |
| 4 |  | <p>In order to meet the needs of individuals with disabilities and employ staff with adequate expertise for this purpose, the district participates as a member of the Desert Mountain Special Education Local Plan Area (SELPA).</p>  | <p>In order to meet the needs of individuals with disabilities, the district shall participate as a member of a multi-district Special Education Local Plan Area (SELPA) pursuant to Education Code 56195.1.</p> <p>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)</p> <p>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 county office of education and the SPI. (Education Code 56195.1, 56195.3)</p> | <p>Education Code 56195.8 mandates each entity providing special education that is participating in a multi-district SELPA to adopt policies for the programs and services it operates, including, but not limited to, policies on nonpublic, nonsectarian services, review of the class assignment of a student with disabilities, procedural safeguards, resource specialists, transportation of students with disabilities, information on the number of individuals with disabilities who are being provided special education and related services, and caseloads for speech and language specialists providing services to children with disabilities ages 3-5 years. District policies on these topics should be consistent with policies adopted by the SELPA.</p> |
| 5 |  | <p>The Superintendent or designee shall extend the district's full cooperation to the SELPA. The policies and procedures of the SELPA shall be applied as policies and regulations of this district, with the exception of those that apply to complaints, unless the local plan specifically authorizes the district to operate under its own policies and regulations.</p> | <p><b>Delete</b></p>   |  |
|   |  |  | <p><i>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</i></p>   | <p>CSBA NOTE: Education Code 56836.148, as amended by AB 181 (Chapter 52, Statutes of 2022), requires the SPI to make publicly available the special education funding each local educational agency (LEA) generates for</p>   |

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|  |  |  |  | <i>by the SPI and the SELPA in accordance with Education Code 56836.148.</i>  | their SELPA, and for the SELPA, within thirty days of receiving their apportionment to report the amount of funding each LEA generates to member LEAs.  |
|  |  |  |  | <i>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.</i> | <p>CSBA NOTE: The remainder of this policy applies to all districts.</p> <p>Pursuant to Education Code 56195.9, the local plan must be reviewed by the SELPA at least once every three years. The budget plan, service plan, and annual assurances support plan must be reviewed annually, pursuant to Education Code 56205; see the accompanying administrative regulation.</p>  |
|  |  |  |  | <i>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.</i>   | <p>CSBA NOTE: Pursuant to Education Code 56195.7, a single-district SELPA is mandated to adopt a written procedure for the ongoing review of programs and a mechanism for correcting any identified problem. For districts participating in a multi-district SELPA with or without a COE pursuant to Option 2 or 3 above, these requirements are contained in the written agreement entered into by members of the SELPA. The following paragraph may be revised to reflect district and/or SELPA practice.</p> |

Created: 9/25/24